United Nations A/68/168

General Assembly

Distr.: General
22 July 2013

Original: English

Sixty-eighth session
Item 27 (b) of the provisional agenda*
Social development: social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

Cooperatives in social development and the observance of the International Year of Cooperatives

Report of the Secretary-General

Summary

The present report is submitted in response to General Assembly resolution 66/123, in which the Assembly requested the Secretary-General to prepare a report on the observance of the International Year of Cooperatives 2012, including an overview of the activities that were implemented during the Year. The report reviews the size and scope of cooperatives and discusses their contribution to social and economic development, based on substantive outcomes of international conferences and United Nations meetings held during the Year. It summarizes the major activities and initiatives launched at the national, regional and international levels in observance of the Year. The report concludes that the observance of the Year contributed to increasing global awareness of cooperatives as significant partners in development for the empowerment of the poor, young people, women, the disabled and other marginalized groups, and for the attainment of the goals of inclusive growth and sustainable development.

* A/68/150.

13-40280 (E) 150813

Please recycle

I. Introduction

1. The present report, which is submitted in response to General Assembly resolution 66/123, reviews the size and scope of cooperatives and discusses their contribution to social and economic development, based on substantive outcomes of international conferences, thematic dialogues and other forums hosted throughout the International Year of Cooperatives. It summarizes the activities and initiatives launched at the national, regional and international levels in observance of the Year.

II. The cooperative as an enterprise model

2. The International Year of Cooperatives celebrated the cooperative way of doing business: one that is not motivated only by profits but mostly by service to cooperative members, who own and control the business democratically. The benefits and surplus revenues from cooperative businesses are enjoyed collectively by their members.

3. The Year provided an opportunity to refresh the attention of Governments, the business community and, most importantly, the general public in respect of the potential and advantages of the cooperative model in both developed and developing countries. It reminded people that, by working collectively, they can make their communities more secure, build cooperative businesses together, and support the real economy on the ground. Member-owned businesses are not only strengthening communities but empowering people, giving them hope in the context of multiple global crises and disasters and providing aspirations in the context of the search for a new post-2015 development agenda and the final acceleration towards achieving the Millennium Development Goals by 2015.

4. The first modern cooperatives were established in Europe more than 200 years ago.[1] Early cooperatives were created mainly as defensive responses to the hardships and famine engendered by the industrial revolution and rural poverty in Europe.[1] Today, the cooperative model is being used all over the world and can be found in all sectors of national economies, where it has provided an increasingly larger share of income and employment.

5. New forms of cooperatives, such as social and community cooperatives, have appeared in response to the increasing inability of the public sector to meet the needs and choices of populations in terms of essential welfare services, mainly owing to financial constraints. Social cooperatives are intended to enhance collective benefits and promote social integration. They conduct two main types of activity: caring activities such as childcare, elder care, assistance to persons with disability, health care and educational services; and training activities that facilitate the professional integration of the poor and disadvantaged in mainstream society.

[1] Johnston Birchall, *Co-op: The People's Business* (Manchester, United Kingdom of Great Britain and Northern Ireland, Manchester University Press, 1994).

III. Size and scope of the cooperative sector

6. Taking into account double counting, it is estimated that at least 650 million persons, or nearly 15 per cent of the world's adult population, are members of one or more cooperatives.[2] According to the European Research Institute on Cooperative and Social Enterprises, worldwide, there are three times as many cooperative members as individual shareholders in investor-owned enterprises. In Brazil, China, India and Russian Federation, the ratio between cooperative members and direct shareholders is even higher: 4 to 1.

7. Cooperatives are prominent in several sectors, including agricultural and food industries, banking and financial services, insurance, consumer and retail, industry and utilities, health and social care, information technologies, and crafts. Agricultural cooperatives have a particularly high market share in Europe, with about a 60 per cent share in the processing and marketing of agricultural commodities and an estimated 50 per cent share in the supply of inputs. In the United States of America, the respective figures are about a 28 per cent share in the processing and marketing of agricultural products and a 26 per cent share in the supply of inputs.[3] In Africa, Asia and Latin America, agricultural cooperatives are also a prominent component of the agricultural sector. For instance, cooperatives have made India one of the largest producers of milk in the world.

8. Financial cooperatives are important players in the world banking system, reaching the poorest people and having a substantial economic impact. Worldwide, they serve over 857 million people, including 78 million living on less than $2 a day, and represent 23 per cent of all bank branches.[4] Financial cooperatives include both cooperative banks (based mainly in Europe) and credit unions (set up originally in North America and developing countries), as well as banks owned by agricultural or consumer cooperatives. Cooperative banks, although member-owned, can have non-members as customers, whereas credit unions are licensed to serve members only.

9. In Europe, there are 4,000 cooperative banks active in 20 countries, with 50 million members, 780,000 employees, €5.65 billion in assets and an average market share of 20 per cent.[5] Worldwide, there are over 51,000 credit unions that operate in 100 countries, with 196 million members and $1.56 billion in assets. On average, their market penetration[6] is 7.8 per cent, but this varies widely by region. Market penetration is higher in North America, Oceania and the Caribbean, with 45 per cent, 23.6 per cent and 17.5 per cent respectively, and much lower in Africa,

---

[2] Claudia Sanchez-Bajo and Bruno Roelants, *Capital and the Debt Trap: Learning from Cooperatives in the Global Crisis* (New York, Palgrave Macmillan, 2011).

[3] European Research Institute on Cooperative and Social Enterprises, Report of the Conference on "Promoting the Understanding of Cooperatives for a Better World", organized in Venice, Italy on 15 and 16 March 2012 by the Research Institute and the International Cooperative Altiance.

[4] David Grace, "Five lessons for growing financial coops", presentation at the United Nations Expert Group Meeting on Harnessing the Cooperative Advantage to Build a Better World, Addis Ababa, 4-6 September 2012.

[5] International Labour Organization, *Resilience in a downturn: The power of financial cooperatives* (Geneva, International Labour Office, 2013).

[6] Ratio of the number of members to the total economically active population (aged 15 to 64 years).

Latin America, Europe and Asia, with 7.2 per cent, 5.7 per cent, 3.5 per cent and 2.7 per cent respectively.[5]

10. Insurance cooperatives had a 25 per cent share of the world insurance market in 2008, including 44 per cent in Germany, 39 per cent in France, 38 per cent in Japan and 30 per cent in both the United States and Canada.[3]

11. In Europe, 4,500 local and regional consumer cooperatives, working mainly in the retail sector, have 450,000 employees, 30 million members, 35,000 points of sale and €75 billion in annual turnover.[7]

12. Cooperatives working in the utility sector have a substantial presence in the United States, where almost 1,000 electricity cooperatives own and maintain 42 per cent of the national electricity distribution lines, covering 75 per cent of the country's territory. They employ 70,000 people and serve an estimated 42 million customers. In Argentina and the Plurinational State of Bolivia, cooperatives play a major role in managing water supplies. One large urban water cooperative serves approximately 700,000 customers.[8]

13. Cooperatives are also present in a wide range of industries, including manufacturing, construction, transport and services. There are more than 25,000 worker cooperatives and more than 10,000 worker cooperatives in Italy and Spain, respectively.[3]

14. Over the past two decades, social cooperatives have become key players in the welfare system. Social cooperatives are especially widespread in some European countries and in Canada but are also emerging as important institutions in other regions of the world. In Italy, where they are most developed,[9] social cooperatives have registered an average annual growth rate ranging from 10 to 20 per cent since the late 1970s. In 2008, there were 3,938 active social cooperatives in Italy; they employed about 320,000 workers, served 4.5 million users and had an annual turnover of €9.0 billion and €7.2 billion in assets.[10] In the Republic of Korea, the Government expects that up to 10,000 social cooperatives will be formed within the next five years, under the new Framework Act on Cooperatives that went into effect on 1 December 2012, resulting in 40,000 to 50,000 new jobs.[11]

IV. Economic and social impact of cooperatives

15. Cooperative activities secure the livelihoods of as many as 3 billion people and contribute significantly to national economies.[3] According to the International

---

[7] "Consumer co-operatives in Europe: overview", presentation by Rodrigo Gouveia, Secretary-General of the European Community of Consumer Cooperatives, 26 February 2012. Available from http://www.uk.coop/.

[8] National Rural Electric Cooperative Association of the United States of America, "Cooperative Facts and Figures: A National Overview". Available from http://www.nreca.coop/members/Co-opFacts/.

[9] In Italy, legislation establishing and defining social cooperatives has existed since 1991. Italy was the first country in Europe to introduce such legislation.

[10] Chiara Carini and others, "The Italian social cooperatives in 2008: A portrait using descriptive and principal component analysis". Euricse Working Paper, No. 35|12 (2012).

[11] Jasper Kim, "Business Law: Social Coop Law (South Korea) — 5 things to know" (Asia-Pacific Global Research Group, 2012).

Cooperative Alliance, cooperatives are estimated to account for between 3 and 10 per cent of gross domestic product (GDP), and the 300 largest cooperatives in the world have a combined annual turnover of $2 trillion, which is more than the GDP of Italy, the world's seventh largest economy.

16. Apart from their quantitative impacts, cooperatives contribute to economic development in several ways.[3] First, their ownership structures and goals are different from those of investor-owned enterprises, enabling cooperatives to play an important role in reducing market failures by contributing to improving market competitiveness: this, in turn, prevents the formation of monopolies, lowers retail prices, provides opportunities for innovation, and limits information asymmetry. Second, according to the European Research Institute on Cooperative and Social Enterprises, cooperatives play a key role in stabilizing the economy, especially in sectors characterized by considerable uncertainty and price volatility, such as finance and agriculture, as demonstrated by the stabilizing influence of cooperative banks in Europe and North America on the banking system during the current financial and economic crises. Third, cooperatives focus on the production of goods and services to satisfy the needs of the people they serve. Fourth, they adopt a long-term perspective, critically needed in order to increase long-term investment. Lastly, cooperatives contribute to a fairer distribution of income, helping to curb poverty and income inequality.

17. The socioeconomic impact of cooperatives is highlighted in times of multiple social crises. The fact that 70 per cent of the hungry live in rural areas has empowered agricultural cooperatives with a crucial role in improving food security; similarly, their role in sustainable agricultural practices may be vital in the context of environmental crises.[12] Cooperatives improve the agricultural productivity of farmers and facilitate access to markets, savings, credit, insurance and technology. Cooperatives have demonstrated the capacity for effective reconstruction and peace in disaster areas, as shown by their recent response following major earthquakes and tsunamis.[13] Additionally, social cooperatives have filled the critical gap caused by the economic recession, as many Governments have reduced public spending, including social welfare benefits.

18. Financial cooperatives have proved their strength and resilience since the 2007-2008 global financial and economic crisis, to the benefit of their members, employees and customers. They have maintained good credit ratings, increased their assets and turnover, and experienced growth in membership and customer base. Between 2003 and 2010, the profits of cooperative banks (average returns of 7.5 per cent) improved compared with the profits of investor-owned banks (average returns of 5.7 per cent). Between 2007 and 2010, their assets grew by 10 per cent and their customer base grew by 14 per cent. The savings of credit unions increased by 1 per cent in 2008, 15 per cent in 2009 and 7.3 per cent in 2010; their reserves increased by 14 per cent and their loans decreased slightly in 2008 but grew by 7.6 per cent

[12] Food and Agriculture Organization of the United Nations, International Fund for Agricultural Development and World Food Programme, *Agricultural cooperatives: paving the way for food security and rural development* (2012). Available from http://www.fao.org/docrep/016/ap431e/ap431e.pdf.

[13] For instance, the Japan Workers' Cooperative Union has provided valuable services through job training programmes and job creation to the population of the areas that were hit by the tsunami following the earthquake in March 2011. Information is available from http://english.roukyou.gr.jp/.

and 5.3 per cent, respectively, over the following two years.[3] In Europe, only a minority of cooperative banks (7 per cent) suffered losses and write-downs from the third quarter of 2007 to the first quarter of 2011, while their average weight in the banking sector was much higher (about 20 per cent of the deposits market). The financial cooperatives' losses were quickly made up, with only a few of them having to accept government aid.[14]

19. The 2012 United Nations Conference on Sustainable Development acknowledged the role of cooperatives in contributing to social inclusion and poverty reduction, particularly in developing countries (see General Assembly resolution 66/288, annex). Cooperatives have empowered people while protecting the planet (one of the goals of the post-2015 development agenda) and have proved to be an effective vehicle in delivering inclusive and sustainable development.

20. Social inclusion is a process by which efforts are made to ensure equal opportunity, so that everyone, regardless of their background, can achieve their full potential in life. For many vulnerable groups, such as young people, women, indigenous people and persons with disability, cooperatives represent a pathway to social inclusion, enabling members to build and own enterprises, sustain viable livelihoods and address social discrimination.

21. Young people suffer higher rates of unemployment and have been among the hardest hit by the economic crisis. Recent International Labour Organization (ILO) estimates show that 73 million young people aged 15 to 24 years remain unemployed in 2013, with the unemployment rate still close to its crisis peak (currently at 12.6 per cent). Youth cooperatives not only offer a pathway out of poverty by providing young people with skills and employment opportunities, but also give a sense of accountability to their membership. For example, the Government of Panama, recognizing the benefits of cooperatives in youth empowerment, established the legal framework for youth cooperatives as early as 1981 and, in 1990, made the teaching of cooperation compulsory in all schools. The Panama Cooperative Institute works with youth cooperatives, sensitizing them to the importance of the environment, and with school farms to fight hunger and promote diversity, culture and tradition.

22. Persons with disability have also benefited from their involvement in cooperatives. In the Philippines, the National Federation of Cooperatives of Persons with Disability was founded in 1998 to promote cooperatives as an alternative vehicle for the empowerment and socioeconomic progress of persons with disabilities. Starting with just five members, the Federation has grown to include 16 primary cooperatives and is owned and staffed entirely by physically disabled persons.[15] With the help of the Canadian Cooperative Association, the Federation has created hundreds of jobs for persons with disabilities.

23. Cooperatives have also empowered women by affording them the opportunity to have direct experience with decision-making and election processes within cooperatives and providing them with increased bargaining power to gain access to

[14] J. Mooij and W. W. Boonstra, eds. *Raiffeisen's Footprint: The Cooperative Way of Banking* (Amsterdam, VU University Press, 2012).

[15] Jo-Anne Ferguson, "Generating sustainable livelihoods: the role of cooperatives", presentation at the United Nations Expert Group Meeting on Harnessing the Cooperative Advantage to Build a Better World.

inputs, credits, services, information and knowledge-sharing. For instance, the World Council of Credit Unions and Freedom from Hunger have offered loans, savings and credit education to poor women in the Philippines and Ecuador engaged in microenterprise, resulting in improved financial and social status as well as collective action beneficial to their local communities.

24. Women depositors are strong members of credit unions. In Kenya, the United Republic of Tanzania and Uganda, women's savings represent about 40 per cent of total savings and women's loans about 35 per cent of total loans. The behaviour of female depositors in terms of repayment has been more satisfactory than that of their male counterparts. Late repayment by women stands at 8.1 per cent against 19 per cent in men. Non-repayment by women is 3.4 per cent against 9.9 per cent by men.[16]

25. Cooperatives empower women through their support to the informal sector. In India, 94 per cent of people working in the informal sector are women. This sector contributes 60 per cent to India's GDP, 47 per cent to exports and 55 per cent to national savings. The Self-Employed Women's Association is the largest women's union in India, with 1.35 million women workers in the informal sector. It offers capacity-building, marketing and business development services, consulting, research and publication.[17]

V. Observance of the International Year of Cooperatives 2012

A. Institutional arrangements

26. The Department of Economic and Social Affairs of the Secretariat was responsible for promoting the International Year of Cooperatives within the United Nations. Its activities focused on raising awareness about the significance of cooperatives and promoting their growth and development. The Department worked closely with members of the Committee for the Promotion and Advancement of Cooperatives, the International Cooperative Alliance, the Food and Agriculture Organization of the United Nations (FAO), ILO and the Department of Public Information of the Secretariat to promote the Year. Financial support for the Year was mainly provided by the Rabobank Group, which disbursed $200,000 to help finance the communications campaign and other activities focused on promoting and supporting the role of cooperatives in social development.

27. In every region of the world, Governments played a leading role in the launch of activities relating to the Year. The Year was launched in Africa (including in Ethiopia, Kenya, Swaziland, the United Republic of Tanzania and Zimbabwe), Asia and Oceania (including in Australia, Japan, Malaysia, Nepal, New Zealand, the Philippines, the Republic of Korea and Singapore), Europe (including in Belgium, Bulgaria, France, Italy, Malta, Portugal and the United Kingdom of Great Britain and Northern Ireland), Latin America and the Caribbean (including in Barbados,

[16] Erick Sile, "Women and cooperatives: Promoting empowerment and equality through financial cooperatives", presentation at the United Nations Expert Group Meeting on Harnessing the Cooperative Advantage to Build a Better World.

[17] Lalita Krishnaswami, "Cooperatives: Our strength, struggle and development", presentation at the United Nations Expert Group Meeting on Harnessing the Cooperative Advantage to Build a Better World.

Belize, Brazil, Dominica, Ecuador, Guyana, Saint Vincent and the Grenadines, and Trinidad and Tobago), and North America, particularly in Canada.

B. Actions at the national level

National committees

28. Governments set up national committees to coordinate preparatory, commemorative and follow-up activities relating to the Year. National committees were inclusive of country-level actors, including local government representatives, cooperatives from different sectors, and members of cooperatives, the private sector, civil society, academia and the media. Activities of the national committees included: (a) disseminating information about cooperatives to raise awareness, in particular about good practices and successful cooperatives, via pamphlets, brochures, e-communications and social media; (b) setting up the national committee website; (c) using local media to encourage educational and promotional coverage of cooperative issues; (d) organizing meetings, conferences, workshops and special events on priority cooperative issues at the local and national levels; (e) providing guidelines on cooperative formation; and (f) coordinating training on cooperatives.

29. National committees were established in all regions. In Africa, committees were set up in Algeria, Benin, Burkina Faso, the Central African Republic, Ethiopia, Ghana, Kenya, Madagascar, Mauritius, the United Republic of Tanzania, Swaziland and Zimbabwe. In Europe, national committees were established in Belgium, Bulgaria, Croatia, Cyprus, Finland, Germany, Greece, Malta, Montenegro, Slovakia and Spain. In Latin America and the Caribbean, national committees were set up in Costa Rica, Ecuador, Honduras, Panama, Peru, Saint Vincent and the Grenadines, and Trinidad and Tobago. In Asia and Oceania, national committees were established in Australia, Bangladesh, Brunei Darussalam, China, Japan, Jordan, Lebanon, Mongolia, New Zealand, the Philippines, Qatar, Singapore, Thailand, Turkey, Tuvalu and Vanuatu. In North America, a national committee was established in Canada.

Raising awareness

30. Various actions were undertaken by many countries around the world to provide information about the contribution of cooperatives to the development of their societies. This helped to increase recognition of the strengths and advantages of cooperatives. Raising awareness focused on the challenges facing cooperatives in the context of multiple crises.

31. Activities to raise awareness about the Year included press conferences, research, educational and training programmes, song and arts contests, live webcasts of events and the issuance of commemorative stamps and coins. For example, the Small and Medium Enterprise Agency in Mongolia and the Mongolian Cooperative Alliance and cooperative sectoral associations organized press conferences about the Year. Countries such as Finland, Madagascar and Panama embarked on research and educational training programmes to highlight the importance and raise the profile of cooperatives.

32. Some countries also organized cultural arts contests, used the Internet and issued special tokens to raise awareness relating to cooperatives. For instance, Saint Vincent and the Grenadines and Trinidad and Tobago held International Year of Cooperatives theme song contests. Also, the International Cooperative Alliance organized its Coop Art Competition. Belgium, Bulgaria, Canada, Ecuador, France, Italy, Portugal and the United Kingdom had live webcasts of the launch of the Year. A number of countries, including Argentina, Australia, China, Costa Rica, Portugal, Singapore, Turkey and Uruguay, issued commemorative stamps and coins.

Legislative and policy frameworks

33. One of the aims of the International Year of Cooperatives was to encourage Governments and regulatory bodies to establish and further strengthen the policies, laws and regulations that are conducive to the formation and growth of cooperatives. National Governments have strongly supported the cooperative cause through the passage of legislation and bills to introduce or strengthen cooperatives.

34. The International Year of Cooperatives led to the introduction of new — or the revision of existing — cooperative laws in Australia, Brazil, the Central African Republic, Cuba, Finland, France, Ghana, Greece, India, Madagascar, Panama, the Republic of Korea, Saint Vincent and the Grenadines, Turkey and the United Kingdom. The Central African Republic, Madagascar and Turkey have developed, or are developing, cooperative strategy papers and cooperative development programmes.

Capacity-building to promote the growth of cooperatives

35. Capacity-building is essential to the formation and growth of cooperatives for socioeconomic development, as well as beneficial to all aspects of cooperative growth. It is vital for effective leadership, human resource and membership development, strong internal operational systems and successful inclusive practices.

36. At the national level, there have been a number of initiatives to promote cooperative development. Madagascar and Australia have introduced new national mechanisms for promoting the growth of cooperatives.

37. Developing countries have highlighted the role of international supporters and donors in promoting cooperative development. For example, the Central African Republic, Madagascar, and Panama have reported support for their activities to build capacity for the development of cooperatives.

C. Actions at the international level

Raising awareness

38. The United Nations system has played a leading role in promoting the International Year of Cooperatives. A host of activities were undertaken to raise awareness of the role and contribution of cooperatives. These activities include social media outreach, policy briefs, research, education, training and events, including panel discussions.

39. The Department of Economic and Social Affairs, in collaboration with partners within and outside the United Nations system, actively utilized social media, the

Internet and the arts throughout the Year to disseminate key messages, raise awareness and encourage individuals and their communities to support the development of cooperative enterprises. Several social media tools were used, such as Facebook, Twitter and a website. A short film festival on cooperatives was organized. The Department also issued several online policy briefs on cooperatives: "Cooperatives in health care: Unimed do Brasil and Pay-for-Performance"; "Cooperatives and Women: Promoting Self-Empowerment" and "Cooperatives and Social Justice".

40. FAO developed communication materials, including a video clip, brochures, posters and flyers, to showcase the role of agricultural cooperatives. The events enjoyed international media coverage and many were web-streamed. Websites were updated to cover events and interviews with cooperative representatives, farmers and cooperative experts. Online policy dialogue was facilitated through the Global Forum on Food Security and Nutrition, which provided key recommendations for future FAO work on cooperatives.

41. An official International Year of Cooperatives film was produced by the ILO Cooperative Branch. The film was screened at the opening of the Year and made available in English, French and Spanish; it was widely used around the world in observance of the Year and subtitled in numerous languages. It features the Year's 10 key messages on cooperatives.

42. During the high-level segment of the 2012 session of the Economic and Social Council, several high-level events were organized to raise awareness of the contributions of cooperatives. A panel discussion on "Promoting decent work in rural areas for achieving food security", organized by the Department of Economic and Social Affairs, FAO, ILO, the International Fund for Agricultural Development (IFAD) and the World Food Programme (WFP), was held on 3 July 2012. A ministerial breakfast meeting on "Promoting productive capacity for sustainable livelihoods: the role of cooperatives", organized by the Department in collaboration with FAO and ILO, was held on 5 July 2012.

43. The Department organized an informal round-table discussion, held on 31 October 2011, to celebrate the launch of the International Year of Cooperatives. The discussion addressed the theme "Cooperative enterprises build a better world: contributions to sustainable development". In collaboration with the Permanent Mission of Spain to the United Nations, the Department organized a panel discussion on "The role of cooperatives in poverty eradication", which was held on 1 February 2012, during the fiftieth session of the Commission for Social Development. The following day, a panel discussion on "Youth employment through entrepreneurship: the role of cooperatives" was also held. The discussion was organized by the Department, in collaboration with the Permanent Mission of Brazil, the North American Students of Cooperation and the University of Massachusetts, Amherst Center for Student Business. On the occasion of the fifty-sixth session of the Commission on the Status of Women, the Permanent Mission of Mongolia to the United Nations, the Department, FAO and IFAD organized a side event, held on 1 March 2012, on "Rural women: are we delivering on our commitments?". In addition, a panel discussion was held on "Cooperatives and the role of information and communications technologies" on 6 June 2012 to examine how information and communication technologies contribute to the efficiency, strengthening and growth of the cooperative movement. On 2 July 2012, a panel

discussion was held on "Sustainable development goes local: how New York City cooperatives are advancing the United Nations Millennium Development Goals". The Department organized the official closing of the International Year of Cooperatives, which took place at Headquarters in New York on 19 and 20 November 2012. The two-day event highlighted the major outcomes of various observances during the Year, as well as forthcoming initiatives to strengthen cooperatives beyond 2012.

44. The Director-General of FAO nominated two FAO Goodwill Special Ambassadors for Cooperatives: Elisabeth Atangana, a farmer leader from Cameroon, and Roberto Rodrigues, former International Cooperative Alliance President and farmer leader from Brazil. The two Goodwill Ambassadors and the Director-General, as well as many senior members of staff, advocated for agricultural and rural cooperatives in events all over the world. The Director-General met with Heads of State and Ministers to share the FAO vision on the importance of agricultural cooperatives and producer organizations as an effective way of achieving food security and reducing hunger in the world. Eight major high-level events were organized during FAO meetings of governing bodies and technical committees, culminating in several events during World Food Week.

45. The Director-General of ILO issued statements during the Year to promote and support cooperative development. ILO participating in high-level events relating to the Year organized by the United Nations and its agencies, Member States, the Committee for the Promotion and Advancement of Cooperatives, the cooperative movement and academia, in all regions of the world and at the national, regional and international levels. In addition, information and policy briefs were produced jointly by the Cooperative Branch and other ILO units to build knowledge and promote new activities to encourage cooperatives. The themes included social dialogue, youth employment, green jobs, persons with disabilities, HIV/AIDS and migrant workers. ILO also organized knowledge-sharing events on cooperatives.

46. Research activities were prominent during the International Year of Cooperatives. For example, ILO published a research paper entitled *Resilience in a Downturn: the Power of Financial Cooperatives*, as well as six Latin American country studies on the situation of cooperatives. News articles and analysis illustrating that cooperatives "build a better world" were released regularly by ILO, and ILO staff contributed to external media requests. Reporting on the Year was included in the Cooperative Branch newsletter.

47. A joint FAO-IFAD publication, *Good Practices in Building Innovative Rural Institutions to Increase Food Security*, was released, and a joint FAO-IFAD-WFP brochure on the Year entitled *Agricultural Cooperatives: Paving the Way for Food Security and Rural Development* was prepared. Thematic briefs on agricultural cooperatives were developed within FAO and in collaboration with Rome-based agencies. The briefs covered such topics as young people, fisheries, forestry, gender, market linkages, the agri-business model, food losses and climate-smart agriculture.

48. FAO and the World Bank conducted a joint review of World Bank investments in building the capacity of rural producer organizations from 2004 to 2010, which was used to analyse the trends in World Bank investments in developing the capacities of rural producer organizations. The annual FAO report on activities in support of producer organizations and cooperatives is being completed.

49. In addition, the third revised edition of the ILO publication, *Guidelines for Cooperative Legislation*, was released in December 2012. It offers policymakers, legislators and other stakeholders ways of updating existing laws and drafting new cooperative legislation at the national, regional and international levels. Furthermore, 10 years after its adoption, a study on the implementation of ILO recommendation No. 193 on the promotion of cooperatives, was published in December 2012.

50. The global network of United Nations Information Centres also undertook initiatives to promote the Year. Under the theme "Cooperative Enterprises Build a Better World", the United Nations Information Centre in Ankara provided media coverage on the launch of the Year and arranged for the United Nations Industrial Development Organization (UNIDO) to represent the United Nations system at an international conference of the Central Union of Turkish Urban Cooperatives. The United Nations Information Centre in Beirut recorded television and radio interviews, placed English and Arabic op-ed articles in pan-Arab newspapers, and disseminated stories on its website and Facebook page and through the regional Arabic media database.

51. The United Nations Regional Information Centre in Brussels organized a press conference with the city of Toulouse, France, and the School of Agricultural Engineers of Purpan, France, which was attended by the President of Coop de France and interpreted in sign language. In addition to that conference, the Centre officially launched the Year with six cooperatives from the agricultural, technology and banking and credit sectors. The Information Centre in Warsaw published an article in *Tecza Polska*, a monthly magazine on cooperatives.

52. The United Nations Information Centre also embraced the Year by holding special events. The United Nations office in Armenia held an art exhibition by Samvel Sevada, a renowned Armenian artist, and the United Nations Information Centre in Bogota manned a stall at the twenty-fifth International Book Fair and delivered the keynote speech at the twelfth National Congress of Cooperatives in Cartagena de Indias, organized by the Confederation of Cooperatives of Colombia.

53. For its part, the United Nations Information Centre in Manila supported the Cooperative Development Authority in the Year's launch by ensuring the presence of the ILO Country Director at a 1,000-strong National Show of Cooperative Force event. The United Nations Information Centre in Rio de Janeiro, Brazil, organized and addressed a one-day conference on the theme "Cooperatives build a better world", with 300 participants from nationwide cooperatives, and received good media coverage during a book launch for *Contemporary Cooperativism: Path to Sustainability*.

54. The Department of Public Information assisted in publicizing the International Year of Cooperatives Short Film Festival. Information centres promoted the Festival enthusiastically and the United Nations Information Centre in Colombo actually directed, produced and won an award for its video Red Chillies! The colourful video illustrated how cooperatives brightened the lives of Sri Lankan women who were unable to obtain fair prices for their produce. The United Nations Information Centre in Port of Spain spread the word to the media throughout its region, and the United Nations office in Ukraine launched an information campaign through national and local media, encouraging cooperative associations to produce and submit films to the Festival.

55. In addition to the many meetings organized by the United Nations system and Governments, other international meetings and conferences were organized by cooperatives and other entities to commemorate the International Year of Cooperatives. This included the following conferences: "Advent of the International Year of Cooperatives", Mashhad, Islamic Republic of Iran, 10 and 11 January 2012; "Cooperatives: Motor of Development", Bonn, Germany, 3 to 5 February 2012; "Cooperatives for Sustainable Economic and Social Change", Bhopal, India, 9 and 10 February 2012; Ninth Asia-Pacific Cooperative Ministers Conference, Bangkok, 27 February to 1 March 2012; international seminar on "Cooperative Enterprises Build a Better World", Petaling Jaya, Malaysia, 12 to 14 March 2012; African Women's Forum for credit unions, Botswana, 17 to 23 March 2012; "Promoting the Understanding of Cooperatives for a Better World", San Servolo, Venice, Italy, 15 and 16 March 2012; "Cooperative Responses to Global Challenges", Humboldt University, Berlin, Germany, 21 to 23 March 2012; Cooperative Expo 2012, Lalitpur, Nepal, 24 to 26 March 2012; "Cooperative Contributions to the European Union 2020 Strategy", European Union Commission, Brussels, 23 to 27 April 2012; Second Cooperative Summit of the Americas, Panama City, 28 May to 1 June 2012; "Cooperatives Boosting Sustainable Development" Beijing, 12 June 2012; Cooperative Research Conference, Montreal, Canada, 25 to 27 June 2013; Seventeenth International Conference on Cooperative Studies, University of Vienna, 18 to 20 September 2012; Cyprus International Year of Cooperatives Conference, Nicosia, 28 and 29 September 2012; "The Amazing Power of Cooperatives" International Summit, Quebec City, Canada, 8 to 11 October 2012; First Summit for African Savings and Credit Cooperative Societies and Cooperatives, Nairobi, 11 and 12 October 2012; Twenty-eighth International Confederation of Popular Banks Congress, Marrakech, Morocco 21 to 23 October 2012; "Stronger Together: A Celebration of Co-operatives and Agriculture", University of Massachusetts, United States, 23 October 2012; "Cooperatives: A Solution for a Social and Solidarity Economy", Nimes, France, 24 October 2012; International Cooperative Alliance Expo 2012, Manchester, United Kingdom, 29 October to 2 November 2012; Seventh International Microinsurance Conference, Rio de Janeiro, Brazil, 8 to 10 November 2011; "La coopérative, un modèle économique pour demain?", Lausanne, Switzerland, 13 November 2012; International Conference on Worker and Social Cooperatives, Marseilles, France, 16 November 2012; Cooperative Theory Lecture Series, University of Kobe, Japan, 28 November 2012; and "Estrategia Empresarial Cooperativa", Logroño, Spain, 14 December 2011.

56. Although the topics varied across the conferences, the underlying focus lay on the resilience of the cooperative model and its potential for promoting inclusive and sustainable growth. Most conferences focused on effective strategies for cooperative strengthening and the need for continued collective focus at the international level on cooperatives and cooperative development. The international cooperative movement, represented by the International Cooperative Alliance, articulated this in its "Blueprint for a Cooperative Decade", which focused on strategies for increased participation and sustainability and addressed issues of identity and capital, as well as the legal framework for conducting cooperative business effectively.

Capacity-building to promote the growth of cooperatives

57. During the International Year of Cooperatives, the United Nations system provided opportunities for building capacity in national government agencies, cooperatives and youth associations to promote the further growth of cooperatives.

58. The global forum and workshop on the theme "Harnessing the Cooperative Advantage to Build a Better World", was held at the Economic Commission for Africa (ECA), Addis Ababa, from 4 to 6 September 2012. The event, an initiative of the Department of Economic and Social Affairs, was held in collaboration with ECA, the Gender, Equity and Rural Development Division of FAO, and the Cooperative Branch of the ILO Job Creation and Enterprise Development Department, in consultation with various cooperative partners. The Forum was an opportunity for the exchange of ideas with and among experts on the cooperative enterprise model and development, and encompassed capacity-building opportunities for national participants from many countries.

59. The long-standing FAO project, Dimitra, a gender-sensitive, participatory information and communications methodology, is being augmented as a social mobilization tool to improve the participation of men and women within producer organizations and cooperatives, up to and including leadership roles. Peer-to-peer partnerships have been developed among federated producer organizations and cooperatives (in Burkina Faso, Canada, France and Morocco) as a way to organize knowledge-exchanges and capacity-development activities in order to promote efficient service, self-reliance and economically viable and sustainable governance.

60. Furthermore, the new ILO integrated methodology, entitled "CoOPequity" is being developed at the country level to improve rural men and women's food security through gender-equitable, well-governed, efficient cooperatives and producer organizations.

61. ILO launched the "My.COOP: Managing Your Agricultural Cooperative" training package and platform for the Year. Currently in English and Spanish, it will soon be available in Arabic, Chinese, French, and Indonesian Bahasa. The package was developed under a partnership approach and is being rolled out in Africa, Asia and Latin America.

62. Encouraging young people to join the cooperative movement is one way of addressing the urgent issue of regeneration and cooperative membership in the decades ahead. The modern lifestyle has deterred young people from community engagement and most are neither knowledgeable nor aware of the benefits of cooperative enterprises. Creating a formal system where young people can learn about cooperatives is a priority.

63. A forum on "Cooperatives and Youth: Empowerment, Employment, Engagement" organized by the Department of Economic and Social Affairs, was held at United Nations Headquarters in New York as part of the closing ceremony of the International Year of Cooperatives 2012. The forum provided an opportunity for young people, international organizations, Member States and other relevant stakeholders to engage in dialogue on the benefits and challenges associated with youth engagement in cooperatives, with particular emphasis on issues of empowerment, employment and civic engagement. The forum was held in conjunction with an online consultation with young people and other stakeholders to ensure the broadest possible participation. The cumulative outcome of the forum and

consultation was the International Cooperative Youth Statement 2012 which was presented on 20 November 2012. The statement outlined the relevance and potential of cooperatives for youth empowerment and employment, especially in relation to the difficult and challenging times for young people throughout the world. The statement made recommendations to national Governments, international organizations and the international community, educational institutions, civil society and the cooperative sector on ways in which to promote cooperative youth empowerment.

VI. Strengthening cooperatives through the international plan of action on cooperatives in development beyond 2012

64. Cooperatives, like other institutions of society, have faced major challenges despite their potential and actual contribution to development processes. Some of these challenges include lack of regulation and supervision in some countries or, conversely, restrictive regulation in others, especially following the financial crisis, governance issues, traditional lending practices (share-based lending), limited product offering, lack of long-term financing, and political interference. Given these barriers to cooperative growth, the strengthening of cooperatives must focus on the policy environment, cooperative literacy, human resource and networking improvement and heightened membership participation. It is also important to expand and strengthen diagnosis on challenges and possible solutions through further research.

65. With the support of the Government of Mongolia, a team of international experts on cooperatives, Government representatives, cooperative practitioners and United Nations agencies came together in Ulan Bator in 2011 to consider a plan of action on cooperatives to help advance cooperative development within the international development agenda and to provide guidance to national Governments on working with cooperatives in support of national development. Various consultative processes were held throughout 2012, including discussion panels at Headquarters, and other meetings held during the International Year of Cooperatives. Input was sought from Member States and the Advisory Group of the International Year of Cooperatives, which consists of high-level cooperative professionals and experts.

66. Participants in the various dialogues agreed unanimously that, in general, an international plan of action on cooperatives is an effective mechanism for achieving the objectives of the International Year of Cooperatives beyond 2012 and for strengthening cooperatives in particular. Throughout the consultations, it was agreed that the plan should outline actions that reiterate the main objectives of the International Year of Cooperatives in providing guidance for (a) establishing effective policies, laws and regulations; (b) increasing public awareness; (c) promoting the formation and sustainable growth of effective cooperatives; and (d) promoting research on cooperatives in support of policy formulation. It was hoped that Member States would weigh in on, and endorse, the plan of action, to ensure its viability as a policy instrument for their work with cooperatives. The draft plan of action has been circulated to Member States for comments.

67. In its draft form, the international plan of action on cooperatives in development beyond 2012 built upon the existing mandates of national

Governments, cooperative enterprises and international institutions to outline a development plan focused specifically on the role of cooperatives and the development of cooperative enterprises. Once endorsed, the plan of action would reinforce all previous calls to action and take them forward in a coherent and accessible manner, addressing the role and expectations of Governments, international institutions and cooperative enterprises themselves in ensuring a focused follow-up to the activities of the International Year of Cooperatives in 2012. Ideally, the plan would provide guidance on effective cooperation and coordination among stakeholders for implementation of the stated objectives.

Establishing effective policies, laws and regulations

68. Throughout the consultative processes outlined above, experts emphasized the need for Governments to review prevailing policies, laws and regulations affecting cooperatives and to identify strategies for creating supportive policy environments. Essential to the strategy discussion were the need for impact assessments and other relevant research, as well as the effect of the legislative environment on access to credit and other financial services, access to markets, and other elements affecting competitiveness.

69. The United Nations needs to continue both playing a role in highlighting the important contribution that cooperatives have made to the global community and maintaining the agenda for further cooperative development. Mainstreaming cooperatives within the United Nations and its specialized agencies, as well as in regional organizations, must continue to be promoted.

70. Reinforcing cooperative participation in international institutions and intergovernmental processes would safeguard the sector's interests in the international arena. This participation would include, at a minimum, providing feedback and reviews on the appropriateness of legislative and regulatory standards that affect cooperatives. For example, financial cooperatives working with standard-setting bodies must ensure that they have open and fair access to clearing and settlement systems, deposit insurance and card and mobile money networks. Regulatory increases in capital adequacy ratios must consider the distinct risk attitude and management style of cooperative businesses.

71. Reinforcing cooperative participation in Government consultations with social partners would contribute to better national and local legislation. Follow-up on ILO Recommendation No. 193 should encourage Governments and parliaments to better understand cooperative regulatory issues and policies.

Increasing public awareness

72. In order to further promote cooperatives, there needs to be a clear definition and characterization of cooperatives. There is also a need to acknowledge the differentiations in the model in practice around the world. While the International Year of Cooperatives did much to highlight the strengths of cooperatives in promoting sustainable development, continued support for such initiatives would enable the contribution of cooperatives to be identified and assessed. The proper ability to promote and raise awareness about the cooperative model is heavily linked to the increased dissemination of knowledge on cooperative enterprises and their impacts. One obvious awareness-raising strategy would be to ensure that the

cooperative values and business model are well integrated in school curriculums and other forms of educational programming.

Promoting the formation and sustainable growth of effective cooperatives

73. Stakeholders should work to identify, through effective consultation and research, the key factors and practices necessary for the successful operation of cooperatives and the priority capacity-building strategies to promote and strengthen cooperatives. Responses to inadequate regulation and supervision, governance issues, traditional lending practices, limited product offering, lack of long-term financing and political interference should be explored. Human resource development is a key potential strategy, not only for improving the capacities of existing membership and traditional membership bases, but for expanding the scope of cooperative membership, particularly among women, young people, the disabled and other marginalized groups. Increasing youth membership would be particularly important for the sustainability and resilience of the cooperative model. Strengthening cooperatives must also focus on the policy environment, cooperative literacy and networking improvement.

Promoting research on cooperatives

74. There is an inadequate understanding of the economic impact that cooperatives have generated, above and beyond the value and size measures reported on financial statements. The cooperative difference needs to be quantified better, measured more systematically, and be robust enough to withstand professional scrutiny. The clear articulation of the cooperative model would be the best advocate for public policy support. Enlisting the academic and research community to mainstream the cooperative business model would allow greater exposure and understanding and lead to its acceptance as a viable complementary model to the prevailing for-profit business model.

75. The academic community should be encouraged to expand the inventory of research and training to create a wider knowledge base for cooperatives, by documenting case studies, both successful and unsuccessful, best practices and methodologies. Along these lines, a network of international experts in cooperative education should be established in order to define and prioritize research topics in collaboration with the cooperative movement and other stakeholders. An overdue, long-term project would be to collect systematic, comparable data on cooperatives across the world.

76. As mentioned earlier, understanding the impact of the business environment on cooperative success or failure would be another important field of research.

Promoting cooperation among cooperatives

77. Cooperation among cooperatives — not just within the sector but among and across sectors — benefits cooperatives through the sharing of information and best practices, the provision of technical expertise and the development of strategic linkages. Cooperation can be encouraged and developed across South-South lines — as in the case of the cooperative partnership between dairy cooperatives in India and the United Republic of Tanzania, and across North-South lines — as in the case of the United States agricultural cooperative, Land O'Lakes, which supports cooperatives in Uganda. Exploiting cross-sectoral opportunities between credit

unions and agricultural cooperatives could also be considered. Collaboration among the United Nations, the International Cooperative Alliance and cooperative organizations must be maintained as the channel for establishing common international goals.

VII. Conclusions and recommendations

78. **The International Year of Cooperatives 2012 was a remarkable celebration of cooperatives as businesses that are owned by the people they serve. Cooperatives focus on the well-being of their members and clients, not on profit-making. The Year reminded the world of the potential and advantages provided by the cooperative model in both developed and developing countries.**

79. **The Year has reaffirmed that the cooperative movement is a strong partner in development that can work with the United Nations to empower the poor, young people, women, the disabled and other marginalized groups. Cooperatives contribute to poverty eradication, especially in rural areas; to inclusive growth and sustainable development, especially with regard to the social and economic pillars; and to employment-generation and social protection. As member-owned businesses, cooperatives give people hope in the context of multiple global crises and disasters. Similarly, they can serve as an alternative enterprise model in the context of the search for a new post-2015 development agenda.**

80. **The General Assembly may wish to consider the following recommendations to promote the continued growth of cooperatives and further extend their socioeconomic impact, and to invite Governments and international organizations, in partnership with cooperatives and cooperative organizations, to:**

(a) **Strengthen and build the capacity of all forms of cooperatives, especially those run by the poor, young people, women, persons with disability and other vulnerable groups, so that they can empower people to transform their lives and communities positively and build inclusive societies;**

(b) **Review the prevailing policies, laws and regulations affecting cooperatives and identify strategies for the creation of a supportive environment by establishing or improving national legislative frameworks in support of cooperative growth;**

(c) **Raise public awareness of the nature of cooperatives, their strengths, their values and principles, and their contribution to sustainable development;**

(d) **Intensify and expand the availability and accessibility of research on the operation and contribution of cooperatives and establish methodologies for the collection and dissemination of comparable global data on cooperatives and their good practices;**

(e) **Encourage and support cooperation among cooperatives and their stakeholders to promote further growth of cooperative enterprises and to expand their contribution to social and economic development.**

United Nations A/68/169

General Assembly

Distr.: General
22 July 2013

Original: English

Sixty-eighth session
Item 27 (b) of the provisional agenda*
Social development: social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

Promoting social integration through social inclusion

Report of the Secretary-General

Summary

The present report has been prepared in response to General Assembly resolution 66/122, on promoting social integration through social inclusion. It builds on the findings of three previous reports on social integration (E/CN.5/2009/2, E/CN.5/2010/2 and E/CN.5/2011/2) and reviews recent developments in three major areas: social protection, education, and institution-building and policy coherence.

* A/68/150.

13-40292 (E) 120813

Please recycle

I. Introduction

1. Social integration is the process of advancing social development by building the values, relationships and institutions essential for the creation of a society for all. Through social integration, all individuals can exercise their rights and responsibilities fully and participate equally in political, social, cultural and economic life.

2. Social inclusion efforts involve various strategies that are aimed mainly at empowering vulnerable groups to benefit from, and contribute to, development. Actions in this area have focused mostly on addressing the special circumstances and needs of disadvantaged social groups in order to advance their integration into mainstream society.

3. Social inclusion efforts are critical to achieving social cohesion. Social cohesion refers primarily to the overall capacity of a society to ensure the welfare of all its members, minimize disparities of opportunity and avoid polarization and conflicts. Socially cohesive societies are bound by a social contract based on a shared understanding of individual rights and responsibilities.

4. The international community has recognized that the promotion of sustained, inclusive and equitable economic growth should be complemented by effective social protection so that individuals in vulnerable and marginalized situations benefit from the gains of economic growth. Member States were, in General Assembly resolution 66/122, called upon to implement social inclusion strategies that promoted social integration and ensured social protection floors for vulnerable groups. Such floors would protect those groups' social and economic rights. To that end, States were encouraged to create national institutions or agencies for promoting, implementing and evaluating social inclusion programmes and mechanisms at the national and local levels.

5. Although social integration has long been endorsed as the overall framework for advancing social development and social policymaking, the goal of achieving socially cohesive societies has remained elusive, with many vulnerable groups and individuals remaining largely excluded from development benefits.

6. At the same time, persistent socioeconomic inequalities and episodes of social unrest have generated awareness of the critical nature of social inclusion efforts in making development truly inclusive. Policies and programmes promoting social inclusion, integration and cohesion are gradually becoming part of national development strategies.

7. The present report highlights recent regional analysis of social integration and cohesion issues published subsequent to the report of the Secretary-General issued in 2010, which was focused mainly on national policies and programmes towards social integration (E/CN.5/2011/2).

II. Overview of social inclusion, social integration and social cohesion

8. In many parts of the world, social integration is increasingly being eroded by globalization, growing social and economic inequality, generational divisions and

the rise of individualism and identity politics. In the absence of social inclusion, such trends may lead to weak social policy outcomes and social instability that may undermine the political legitimacy of Governments.

9. The Organization for Economic Cooperation and Development (OECD) recently analysed the concept of social cohesion, its importance to development and the ways in which it could be measured. OECD identified three components of social cohesion: social inclusion, social capital and social mobility. Social inclusion was seen as a measure of such dimensions of social exclusion as poverty, inequality and social polarization. Social capital combined interpersonal and societal trust and a range of forms of civic engagement. Social mobility related to the degree to which people could, or believed that they could, change their position in society.

10. The OECD research suggested that cohesive societies relied on policy measures aimed at combating social exclusion and marginalization, advancing social mobility and building social capital. The success of such measures rested largely on the adoption of an inclusive policy framework and coordinated policymaking, in particular in the areas of employment, social protection, civic participation, education, gender and migration.[1]

11. There have been significant differences in regional approaches to social integration and social inclusion, especially regarding the concept and measurement of social cohesion. Notable attempts at conceptualizing and measuring social cohesion have been made in the European and Latin American contexts.

12. In 2010, the Committee of Ministers of the Council of Europe adopted a new strategy and Council action plan for social cohesion in which social cohesion was defined as "the capacity of a society to ensure the well-being of all its members — minimising disparities and avoiding marginalisation — to manage differences and divisions and ensure the means of achieving welfare for all members".

13. The Action Plan articulates four pillars of social cohesion: reinvesting in social rights and a cohesive society; building a Europe of responsibilities that are both shared and social; strengthening representation and democratic decision-making and expanding social dialogue and civic engagement; and building a secure future for all. The European Committee for Social Cohesion has coordinated the implementation of the Action Plan by States, which are to provide feedback on implementation at the national level and exchange experiences, methods and best practices.

14. At the core of the approach was the idea that social cohesion was critical to the enjoyment of human rights, stable democracy and the rule of law.

15. The concept of social cohesion developed by the Economic Commission for Latin America and the Caribbean stemmed from national-level experiences in the region. It was dominated by the idea of forging a view of development that went beyond economic growth and was based on the guiding principles of equity and social integration.[2] The Commission's approach to social cohesion emphasized the relationships between mechanisms of inclusion and exclusion in the region and

[1] OECD, *Perspectives on Global Development 2012: Social Cohesion in a Shifting World* (Paris, 2011).

[2] Economic Commission for Latin America and the Caribbean, *Social Cohesion in Latin America: Concepts, Frames of Reference and Indicators* (LC/G.2420), p. 77.

citizens' perceptions of how such mechanisms operated. The regional social cohesion framework identified three interacting pillars of social cohesion: disparities or gaps, institutional realities and subjective factors. Moreover, four arenas — or social institutions that played a significant role in building social cohesion — were identified as relevant to the region: social relationships, citizenship, the market and social protection.

16. In that approach, social relationships shaped whether an individual felt accepted and recognized by the family group or the community, such as in cases of children born out of wedlock or subjected to high levels of intrafamily violence. Citizenship and the building of citizenry depended entirely on the existence of democratically elected holders of public office, legitimate electoral and political processes with the active participation of citizens, the enforcement of laws (once enacted) and free media. Economic participation was conducive to social cohesion because it led to fair outcomes for all in terms of economic recognition and social mobility. The recognition that social protection was a fundamental right of all individuals by virtue of their being members of society was critical to preventing social polarization in the region.

III. Strategies towards social integration

17. Social protection, education and institution-building are key to social integration and social cohesion.

A. Social protection

18. There is a growing recognition that expanding social protection, combined with the provision of social services, fosters social cohesion. The commitment to building basic social protection schemes stems from a broader sense of solidarity by which society recognizes, and acts upon, its responsibility to ensure basic protection for those most vulnerable and in need.

19. Social protection, broadly understood, is the set of public policies and programmes seeking to provide people with minimum levels of security in meeting their basic needs. In line with local conditions and priorities, countries have adopted diverse definitions and approaches to social protection, including cash transfers, social pensions and social safety nets. Attempts at building universal, non-contributory social protection floors — with a minimum of access to basic services and basic income security — have been made in a number of developing countries in recent years.

20. In the past decade or so, Latin American countries have been at the forefront of expanding innovative anti-poverty programmes, such as conditional income transfers, non-contributory pensions and child and family benefits. Programmes implemented have encompassed, among others, pure income transfers to households living in poverty, transfers combining income supplements with basic service provision or utilization (often linked to health care, schooling and nutrition) and

integrated anti-poverty programmes offering tailored transfers and preferential access to services for socially excluded groups and communities.[3]

21. The programmes have been aimed at addressing the main factors contributing to persistent and intergenerational poverty: low income, lack of employment and lack of access to education and health care. In the main, they have targeted families with young children. They are all tax-financed, public interventions led by social assistance agencies. They are estimated to have reached some 32 per cent of people living in poverty throughout Latin America.[4]

22. In Asia and the Pacific, social protection was seen by Member States as an inclusive development instrument conducive to reducing poverty, inequality and exclusion in the wake of the 2008 food, fuel and financial crises.[5] It was also perceived as an investment and a core component of national development policy that contributed to building cohesive and stable societies and fostering trust between Governments and citizens.

23. It was expected that the expansion of social protection would contribute to economic growth by increasing the consumption power of poor households and stimulating demand for local goods and services. It was also expected that the risk insurance afforded by social protection would allow people to better take advantage of their skills and potential and enable them to contribute more fully to economic development.

24. The Economic and Social Commission for Asia and the Pacific has recommended that Member States adopt a staircase approach to social protection. That approach is aimed ultimately at providing universal access and rights to social protection through incremental steps by targeting the most vulnerable groups first.

25. Low-income countries in sub-Saharan Africa, which have low revenue-raising capacity and high administrative costs, have found the provision of self-financed social protection programmes a challenge. There is, however, growing evidence from both existing programmes and simulations that the basic elements of a social protection floor may be fiscally affordable in most low-income countries, beginning with non-contributory old-age pensions, child grants or public works.[6] Resources will need to be mobilized and reallocated within national budgets in order to expand social protection provisions beyond those programmes.

26. Political commitment and national financing and control have characterized most, if not all, successful social protection schemes in Africa. In several countries, the Governments' lack of commitment to some form of social protection has arisen

[3] For examples of specific programmes, see Armando Barrientos, Miguel Niño-Zarazúa and Mathilde Maitrot, "Social Assistance in Developing Countries database version 5", Brooks World Poverty Institute Working Paper Series (Manchester, Brooks World Poverty Institute, University of Manchester, 2010).

[4] Armando Barrientos, "On the distributional implications of social protection reforms in Latin America", WIDER Working Papers Series, No. 2011/69 (Helsinki, United Nations University-World Institute for Development Economics Research, November 2011).

[5] *The Promise of Protection: Social Protection and Development in Asia and the Pacific* (United Nations publication, Sales No. E.11.II.F.5).

[6] International Labour Organization, *Social Protection Floor for a Fair and Inclusive Globalization: report of the Social Protection Floor Advisory Group* (Geneva, International Labour Office, 2011).

from the fact that the citizens have not yet mobilized effectively to demand social protection, as has occurred in other countries of the region.[7]

27. The growing acceptance on the part of Governments of the need for universal social protection — with interventions targeting specific groups that would serve as building blocks towards universal coverage — has been observed worldwide. Social protection strategies, their numerous benefits notwithstanding, have not, however, proved effective in eliminating long-standing forms of economic and social discrimination against specific groups. According to OECD, where dual social protection systems have developed (with the poorer covered by social assistance and the richer by individual contributions or private alternatives), such developments have undermined the commitment of the growing middle class to public service provision, a key to social cohesion.[8] Investment in public education is indispensable to counteracting such trends, equalizing opportunities and building an active citizenship.

B. Investing in education, including civic education

28. Education, besides improving lifetime and career opportunities resulting in upward mobility and the development of human capital, contributes to social cohesion through the transmission of values that are critical to a sense of belonging to a shared society. Education has the potential to foster not only cognitive and social skills but also positive attitudes, habits and norms that trigger healthy lifestyles and active citizenship. Some of these benefits include critical thinking and decision-making, the skill to interpret political communication, organizational skills and civic competencies.

29. Education for civic engagement is especially important for social cohesion. Civic engagement tends to improve labour market outcomes, reduce crime and foster democratic institutions and interpersonal trust. Interpersonal trust promotes economic growth and institutional efficiency and reduces corruption. Some researchers claim that the level of trust in a society is a good predictor of economic performance.[9]

30. In States members of OECD, better-educated individuals are, on average, more likely to exhibit higher levels of civic and social engagement than the less educated. European social surveys have indicated that each additional year of schooling is associated with a higher probability of participation in community or voluntary activities. Similarly, an analysis of the World Values Survey pointed to a high

[7] See the background paper prepared in the framework of the *2010 European Report on Development* by Stephen Devereux, entitled "Building social protection systems in Southern Africa". Available from http://erd.eui.eu/publications/erd-2010-publications/background-papers/building-social-protection-systems-in-southern-africa/.

[8] OECD, *Perspectives on Global Development 2012*.

[9] Sjoerd Beugelsdijk, Henri L. F. de Groot and Anton B. T. M. van Schaik, "Trust and economic growth", Tinbergen Institute Discussion Papers, No. 049/3 (Amsterdam and Rotterdam, Tinbergen Institute, 2002).

correlation between education and interpersonal trust in Canada, Japan and the United States of America.[10]

31. Experience has illustrated that teaching tolerance and respect for cultural diversity as part of the mainstream school curriculum, together with improving access of minorities to schooling, has contributed to social integration. Schools can advance tolerance by establishing an open classroom atmosphere, which tends to generate respect and trust between teachers and students as individuals and encourage dialogue regarding opinions and values. Schools can prepare students for civic participation by promoting involvement in student councils and volunteer projects.

32. Research suggests that tertiary education advances students' sense of interpersonal trust and tolerance further. The effect is pronounced when it offers a curriculum and academic environment conducive to a better understanding of diversity and the social and economic benefits of living in socially and culturally diverse communities.[11]

33. In many countries, in particular those with persistently weak labour markets, however, tertiary education has fallen short of preparing young people for employment, leaving large numbers of young people with university degrees unemployed, generating frustration and creating breeding grounds for social unrest. In response to such situations, increasing attention has been paid to technical and vocational skill development, in addition to entrepreneurship skills for business creation and self-employment of young people.

34. Educational institutions have a clear role in promoting civic education, democratic participation and volunteering. It is in the family and community that the individual experience of social integration first occurs and where social norms are instilled throughout childhood into youth, however.

C. Institutions and policy coherence

35. Experience has shown that the effective implementation of social inclusion policies depends primarily on a well-functioning network of government institutions in support of local authorities and communities, such as social inclusion units or local community task forces for social integration. Efficiency in the delivery of programmes rests on a comprehensive government approach requiring horizontal cooperation between relevant line ministries, facilitated by performance-based budgeting.

36. Even with well-functioning government institutions, inclusive policies do not automatically translate into positive social integration outcomes unless they are backed by broad-based participation of citizens in their design, implementation, monitoring and evaluation.

---

[10] See OECD, *Education at a Glance 2010: OECD Indicators* (Paris, 2010); the European social surveys conducted from 2002 to 2007; and the Adult Literacy and Life Skills Survey conducted in 2003.

[11] The Citizenship Education Longitudinal Study carried out in the United Kingdom of Great Britain and Northern Ireland is one of few available sources for evaluating the effects of education on civic and social engagement.

37. As noted previously, investment in civic education and community participation is the first step towards building a well-informed citizenry that is able to demand its rights and hold public officials accountable for their actions. The second step lies in building participatory frameworks and institutions in support of the economic, social, cultural and political participation of all members of society. The very extent of such participation is indicative of the level of social integration in the society itself. Individuals and social groups need ample opportunities to participate in decision-making processes affecting their well-being. When they have no opportunity to participate, or are purposely denied such an opportunity, they feel disempowered and grow distrustful of public authorities and institutions, which may lead to social unrest. Consequently, promoting participatory governance — that is, the direct involvement of stakeholders in the process of decision-making on matters that concern them directly — and active participation in all spheres of public life at the national and local levels is essential to the success of social integration efforts.[12]

38. National and local institutions promoting participatory governance and community engagement, such as civil society organizations, cooperatives and community boards, often representing vulnerable groups and demanding their rights, offer opportunities for civic engagement and participation.

39. Increasingly, civil society and non-profit organizations are demanding a participatory, focused model of interaction with public authorities, sometimes called community engagement governance, to improve the responsiveness of the public sector to public needs. Another demand put forward by civil society organizations is participatory budgeting, often considered a test of true commitment to participatory governance. While interest in participatory budgeting is growing overall, Governments continue to keep budget processes under their own scrutiny.

40. Efforts aimed at promoting participatory governance notwithstanding, limited institutional capacity and ingrained prejudices and stereotyping remain major obstacles to the social integration of some individuals and groups owing to their ethnicity, gender, age, immigration status or other characteristics. In response to this situation, countries have established national bodies mandated to counteract discrimination and investigate discrimination claims.

41. National human rights institutions, such as national human rights commissions or ombudspersons, have been set up in many countries to monitor and protect human rights. Human rights commissions are often tasked with reviewing national human rights legislation and existing policies. Ombudspersons (known as citizen advocates in some countries) investigate and address complaints of discrimination. They are usually appointed at the national level but can also be selected by local governments. In addition, in a few countries, new avenues for broader public participation in tackling human rights issues have been explored through a comprehensive variety of mechanisms, such as public hearings, advisory boards or formal consultative bodies.[13]

---

[12] Participatory governance denotes forms of governance in which civil society partners are empowered to use the resources of the State to make decisions about matters that concern them directly.

[13] Examples of such mechanisms can be found in *Good Governance Practices for the Protection of Human Rights* (United Nations publication, Sales No. E.07.XIV.10). Available from www.ohchr.org/Documents/Publications/GoodGovernance.pdf.

42. In the European Union, national equality bodies have been established, pursuant to the European Union equal treatment directives, to provide independent assistance to victims of discrimination. They conduct independent surveys on discrimination, monitor and report on discrimination issues and promote equality. The European Network of Equality Bodies (Equinet) brings together 38 organizations from 31 countries that counteract discrimination on a range of grounds, including age, disability, gender, race or ethnic origin, religion or belief, and sexual orientation. A decade after the implementation of the Racial Equality Directive and the gender equal treatment directives, no specific guidelines exist, however, on how such bodies should operate. Equality bodies provide assistance, in the form of legal advice, mediation or other measures, to people who experience discrimination. Most equality bodies also promote equal treatment through information campaigns and support good practices by employers and service providers.

43. The promotion of participatory governance mechanisms and community involvement is indispensable to the assurance of coherence and continuity in national and local policies and programmes on social inclusion. The work of institutions addressing discrimination and ensuring equality of rights and opportunities remains critical to assessing the outcomes of such policies and programmes and to tackling and providing guidance on gaps.

IV. Challenges

44. Social inclusion and social cohesion remain major public policy challenges globally, existing efforts to achieve social integration notwithstanding. Persistent poverty and exclusion, wide income disparities, unequal access to education, health services and job markets, and poor distribution of, and access to, social services have remained all too common in the developing world. Similar challenges have re-emerged, albeit on an another scale, in a number of developed countries.

45. In the wake of the economic and financial crisis of the late 2000s, many countries have made significant social spending cuts, including in the social protection field. Such austerity measures have had a significant negative impact on the livelihoods of the poor and vulnerable groups and on citizens' reliance on public authorities.[14] In several States members of OECD, the decline in social cohesion has been manifested through lower voter turnout, diminished volunteering and lower interpersonal trust. Other key dimensions of social cohesion, such as social and political trust, tolerance and perceptions, have been declining, sometimes dramatically, in a number of countries.[15]

46. Impediments to social inclusion and cohesion in some countries have included a lack of social mobility and reduced confidence in individual opportunity. Furthermore, the number of identity-based groups and associations has been increasing, an occurrence sometimes viewed as a response to the dearth of collective national objectives.[15]

[14] Isabel Ortiz and Mathew Cummins, "The age of austerity: a review of public expenditures and adjustment measures in 181 countries" (Initiative for Policy Dialogue and the South Centre, New York, March 2013).

[15] Andy Green, Germ Janmaat and Helen Cheng, "Regimes of social cohesion: converging and diverging trends" *National Institute Economic Review*, No. 2015 (January 2011).

47. At the regional level, the European model of development based on social rights has remained under pressure, its role in generating and maintaining social cohesion and social solidarity notwithstanding. According to paragraph 9 of the New Strategy and Council of Europe Action Plan for Social Cohesion, "the emerging pattern of a fragmented society, with an increasing number of people facing obstacles to the full enjoyment of rights or dependent on benefits and other public services, together with rising inequalities between rich and poor, poses one of the greatest challenges to social cohesion in Europe".

48. In Latin America and the Caribbean, the main factors that threaten social cohesion include widening social and cultural gaps, weak governance, the erosion of traditional sources of a sense of belonging and public mistrust of political institutions in democratic regimes.[16]

49. Countries have faced numerous constraints to the effective implementation of social inclusion policy, including poor coordination between government institutions in budgeting and social service delivery, insufficient investment in social services and limited involvement of civil society in the demand for change.

V. Conclusions and recommendations

A. Conclusions

50. **The role of social inclusion, social integration and social cohesion in promoting social development is receiving growing attention in development theory and practice and is acknowledged to be critical to achieving inclusive growth and development.**

51. **The overview provided herein has pointed to the critical importance of social protection, education and institution-building in enhancing social integration and social cohesion.**

52. **Social protection is a socioeconomic right and a form of institutionalized solidarity indispensable to social integration and social cohesion. Instead of being a loose collection of programmes, however, social protection provision should be at the centre of a coherent and integrated policy framework with legislative and governance underpinnings and sustainable funding. It is important to recognize the need to ensure protection throughout the lifespan, from childhood to old age, and to protect vulnerable groups based on their situation and characteristics. Social protection should not, however, be seen as a substitute for structural reforms often needed to tackle societal inequalities, unequal access to resources and persistent discrimination.**

53. **A comprehensive educational policy, emphasizing the principles of equality, common responsibility and shared society, is indispensable to the creation of an active citizenry. Imparting values and attitudes that appreciate diversity and promote human rights is vitally important to fostering inclusion.**

54. **Governments, in cooperation with all relevant stakeholders, must invest in building or strengthening participatory institutions mandated to eliminate**

[16] Economic Commission for Latin America and the Caribbean, *Social Cohesion in Latin America*.

sources of social injustice, exclusion and discrimination. Policy responses implemented by such institutions should be subject to consultation and continuing monitoring and evaluation.

B. Recommendations

55. **Governments are urged to further develop and implement socially inclusive policies in the areas of social protection, education and participatory institution-building as part of their national development strategies.**

56. **Governments should strengthen interventions targeting vulnerable groups, while mainstreaming overall social integration objectives in all policies and programmes.**

57. **Governments are encouraged to establish national institutions in partnership with civil society and the private sector for implementing, monitoring and evaluating social inclusion policies at the national and local levels.**

58. **At the international level, advancing social integration, non-discrimination and equality should be an integral part of addressing inequality within the post-2015 development agenda.**

United Nations A/68/170

General Assembly

Distr.: General
22 July 2013

Original: English

Sixty-eighth session
Item 83 of the provisional agenda*
Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm

Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm

Report of the Secretary-General

Summary

The present report, prepared pursuant to General Assembly resolution 65/28, contains comments and observations of Governments on the consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm.

* A/68/150.

13-40333 (E) 140813

Please recycle

Contents

		Page
I.	Introduction	3
II.	Comments and observations received from Governments	3
	Colombia	3
	El Salvador	4
	Netherlands	5
	Philippines	5
	Portugal	6
	Qatar	7
	United States of America	7

I. Introduction

1. The present report has been prepared pursuant to paragraph 3 of General Assembly resolution 65/28, in which the Assembly invited Governments to submit further comments on any future action, in particular on the form of the articles on prevention of transboundary harm from hazardous activities and the principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities, bearing in mind the recommendations made by the International Law Commission in that regard, including in relation to the elaboration of a convention on the basis of the draft articles, as well as on any practice in relation to the application of the articles and principles.

2. The Secretary-General, in a circular note dated 19 January 2011, drew the attention of Governments to resolution 65/28, and a reminder was sent out in January 2013.

3. The present report should be read together with the previous report of the Secretary-General (A/65/184 and Add.1).

II. Comments and observations received from Governments

Colombia

4. With regard to the principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities, Colombia observed that they did not reflect existing norms of customary international law. Rather, they constituted an exercise in the progressive development of international law. As the International Law Commission had itself acknowledged in its general commentary to the draft principles, the principles had, from their inception, been general and residuary in character; they were thus cast as a non-binding declaration rather than as a set of existing norms.

5. Accordingly, for Colombia, the principles could not give rise to any international obligations unless incorporated into an international convention negotiated by States. Colombia believed that it would be premature to consider negotiating such an instrument at the current stage. In its view, it would be best to keep the topic under consideration in the Sixth Committee of the General Assembly until the subject was deemed ripe for precise formulation and incorporation into a binding instrument.

6. In the view of Colombia, the same situation existed with regard to the articles on the prevention of transboundary harm from hazardous activities, which, their title notwithstanding, also concerned risk management.

7. Colombia recalled that, since its inception, that topic had been dealt with by the Commission on a highly experimental basis. Within the Commission, the view had always been that the articles would take the form of an international convention and, for that reason, they had been drafted in the mandatory language characteristic of such an instrument.

8. In addition, it was noteworthy that, on the various occasions when the topic had been discussed in the General Assembly, virtually no delegation had maintained

that the articles as a whole constituted a set of customary international law norms supported by sufficient State practice and *opinio juris*. The closest approximation to that position had occurred during the debate in the Sixth Committee in 2001, when some delegations had stated that, generally speaking, some provisions of the articles might be said to reflect customary international law. On the other hand, Colombia recalled that, during the debate in 2001, and again in 2007, various delegations had expressed the view that the articles were an exercise in progressive development rather than codification. During those debates, Colombia had itself stated that, under current international law, the prevention principle gave rise to a due-diligence obligation to prevent or minimize transboundary harm, but that did not mean that the existing provisions of the articles could be deemed to create specific legal obligations for States. It had also stressed that, in meeting that due-diligence obligation to prevent or minimize transboundary harm, special consideration should be given to external factors such as the parties' level of socioeconomic development, technical and scientific capacities and the specific context in which the activities that might result in transboundary harm were being undertaken.

9. In the view of Colombia, therefore, the provisions of the articles that imposed specific obligations on States did not reflect accepted norms of customary international law. As with the principles on the allocation of loss, the only way that the progressive development provisions of the articles could become legally binding would be to incorporate them into an international convention. Colombia believed that it would be premature to consider holding an international conference to examine the topic or to consider the development of such an instrument. More time was required for delegations to pursue their study of the topic and discuss the various implications in the Sixth Committee.

El Salvador

10. El Salvador commented that it was important to recognize that the duty of prevention was not limited to the articles; it had a much broader scope insofar as it was part of the international *corpus juris* on environmental matters, and it was an obligation that required due diligence by States and the adoption of appropriate measures before actual harm occurred.

11. El Salvador also drew attention to article 4, on cooperation, which in its view was extremely important in order to ensure the effectiveness of environmental preservation and protection, in particular where national capacity needed to be strengthened with the help of other interested States. Article 4 provided that States were to "seek" the assistance of competent international organizations in preventing transboundary harm. The scope of that provision was explained in the commentary, where the Commission had noted that, even if there were competent international organizations, they could extend necessary assistance only in accordance with their constitutions. In any case, the article did not purport to create any obligation for international organizations to respond to requests for assistance independent of their own constitutional requirements. Given that El Salvador agreed with the clarification provided in the commentary to article 4, it suggested, in the interests of further clarifying the wording, that "seek" should be replaced by a less imperative term, such as "request".

12. Furthermore, the content of article 10 was extremely useful because it dealt with factors to be taken into consideration in order to achieve an equitable balance of interests among States, including the economic viability of the activity, its nature and importance, the degree of risk of significant transboundary harm and the risk of significant harm to the environment. El Salvador considered that each of those factors must be considered in good faith and in appropriate depth in order to achieve the desired balance. To strengthen the content of the article, it might include additional factors to be taken into account by interested States, such as the degree of vulnerability of the population to the impact of the activity and its capacity to adapt to the resulting changes; and the identification of activities that caused irreversible damage, in which case it was not feasible to maintain the basis for the quality of life and the health of ecosystems in a sustainable manner.

13. On the issue of the final form of the articles and principles, El Salvador first noted that, in the light of their supplementary nature, it was essential for the articles and the principles to be included in a single document in order to ensure full coverage of the topic. To do otherwise might affect the consistency of their provisions, given that priority might be given to only one of the stages leading to the production of the damage. For example, it would be wrong to focus the debate on the future form of the articles alone, thereby emphasizing prevention while excluding all matters relating to compensation of the victims of damage and restoration of the environment.

14. El Salvador was also of the view that the General Assembly should approve the elaboration of a binding convention, which would allow the parties to take appropriate measures to avoid or prevent serious transboundary harm; minimize the risk of causing it; and mitigate its effects. On the basis of consultations held with the competent national authorities on environmental matters, it considered that such a convention would be extremely important to El Salvador owing to the existing risks associated with its various resources, in particular its water resources, and that it would have the benefit of promoting the principle of good-neighbourliness between States. In the view of El Salvador, it was therefore time to take the steps necessary to launch a process aimed at the elaboration of a convention on the basis of the articles and principles, which would represent a significant contribution to establishing general rules for the prevention of transboundary harm from hazardous activities and allocation of loss in the event of such harm.

Netherlands[1]

15. The Netherlands stated that it was not aware of any instance in which it had pleaded or relied upon either the articles on the prevention of transboundary harm from hazardous activities or the principles on the allocation of loss in the case of such harm.

Philippines

16. The Philippines reported that, through the Environmental Management Bureau of its Department of Environment and Natural Resources, it had implemented the

[1] For previous comments, see A/65/184, paras. 16-18.

multilateral environmental agreements relevant to the issue of hazardous wastes to which it was a party, including the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and the Stockholm Convention on Persistent Organic Pollutants. As the competent agency in charge of the implementation of its international obligations, as well as its national laws, policies and regulations, including Republic Act No. 6969, the Bureau had been provided with the proper support and capacity-building assistance to allow it to abate or minimize risks to public health and the environment.

17. The Philippines made a number of suggestions with regard to the articles on the prevention of transboundary harm from hazardous activities.

18. For article 1, Scope, the words "between States concerned" could be added following "physical consequences".

19. Given that resolution 65/28 was intended to prevent transboundary harm occurring as a result of hazardous activities, such as loss and damages, it was necessary to include a definition of the term "loss and damages" under article 2, Use of terms.

20. Under article 2, the definition of the term "harm" should include the cause of the harm, while the definition of the term "transboundary harm" should also state the source and nature of the harm.

21. The definition of the term "transboundary harm" must also be expanded to specify the type of exposure or contact that caused the harm, in particular whether the harm was through water, air, land or the transboundary movement of people, goods or services.

22. The term "hazardous activity" should also be included under article 2. The activity should be classified by its nature (industrial, disposal, accidental or another activity that might be defined as a "hazardous activity").

23. With regard to article 5, it should indicate that States must also establish regulatory mechanisms and implement related programmes and activities to minimize or prevent the occurrence of transboundary harm caused by hazardous waste.

24. For article 11, the phrase "or until the imminent harm, actual loss or damage has been effectively managed and controlled by the State of origin" should be added.

Portugal[2]

25. Portugal noted that the adoption of the articles and the principles was a positive step towards the creation of measures for the minimization of the harm and loss that might result from incidents involving hazardous activities and of measures allowing prompt and adequate compensation to victims of transboundary harm.

26. In the view of Portugal, the agenda item should be analysed bearing in mind the history of the subject and the purposes of the progressive development of international law and its codification, which should be harmonious and coherent. In

[2] For previous comments of Portugal, see A/65/184, paras. 29-35.

that connection, it was important to recall that the prevention of transboundary harm, on one hand, and international liability in the case of loss from transboundary harm, on the other, were part of the same topic (international liability for injurious consequences arising out of acts not prohibited by international law). Its two aspects, namely prevention and allocation of loss, should therefore be considered together, with equal legal nature and enforceability.

27. Portugal expressed the hope that in the future it would be possible to have a single convention on international liability for injurious consequences arising out of acts not prohibited by international law where the liability of the State in the matter was adequately established and a real system of compensation due as a result of effects of lawful activities of States was put in place. For the time being, it would already be significant to consolidate a whole set of draft articles or even of draft principles addressing prevention and allocation of loss, for the sake of a possible conference to adopt the aforementioned convention.

Qatar

28. Qatar reported that it had not yet adopted the articles on prevention of transboundary harm from hazardous activities or the principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities.

29. Qatar proposed, with regard to the principles, that principle 8, Implementation, should include an item urging regions that were similar environmentally and geographically to develop regional conventions among themselves in relation to the implementation of the subject of the principles.

United States of America[3]

30. The United States expressed the belief that the draft articles on prevention marked a positive step towards encouraging States to establish means to address such issues as notification in specific national and international contexts. The principles on allocation of loss were also a positive step towards encouraging States to establish mechanisms to provide prompt and adequate compensation for victims of transboundary harm. They incorporated progressive ideas such as the responsibility of operators, the desirability of backup financial security measures, the importance of prompt response measures and broad concepts of compensable harm. They also stressed the importance of national, bilateral, regional and sectoral arrangements to carry out those ideas. The Commission was urging States to take national and international action to implement the principles, and the United States similarly urged national action and State-to-State agreements in specific contexts, as that was what the principles were designed to encourage.

31. The United States strongly supported retaining the draft articles on prevention and the draft principles on allocation of loss in their current form. As it had previously noted, both documents went beyond current international law and practice and were clearly innovative and aspirational in character rather than descriptive. Both documents were designed as resources to encourage national and

[3] For previous comments of the United States, see A/65/184/Add.1, paras. 1-3.

international action in specific contexts, rather than to form the basis of a global treaty.

32. Accordingly, the United States continued to believe that it was most appropriate for the principles to take the form of non-binding standards of conduct and practice and for the work on prevention to remain formulated as draft articles. Retaining the current recommendatory form of the draft articles and principles increased the likelihood that they would gain widespread acceptance and fulfil their intended purpose.

United Nations A/68/171

General Assembly

Distr.: General
22 July 2013

Original: English

Sixty-eighth session
Items 99 (p) and (y) of the provisional agenda*
General and complete disarmament

Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them

The illicit trade in small arms and light weapons in all its aspects

Report of the Secretary General

Summary

The present report provides an overview of the activities undertaken by Member States, the United Nations system and other intergovernmental organizations regarding the implementation of General Assembly resolutions 67/41 and 67/58, which cover, respectively, the assistance provided to States for curbing the illicit traffic in small arms and light weapons and collecting them and the illicit trade in small arms and light weapons in all its aspects.

The reporting period, from August 2012 to July 2013, saw the successful outcome of the second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the adoption of the Arms Trade Treaty, whose scope includes small arms and light weapons.

* A/68/150.

13-40340 (E) 140813

Please recycle

I. Introduction

1. In its resolution 67/41, entitled "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them", the General Assembly invited the Secretary-General and those States and organizations that were in a position to do so to continue to provide assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them. The Assembly also requested the Secretary-General to continue to consider the matter and to report to the Assembly at its sixty-eighth session on the implementation of the resolution.

2. In its resolution 67/58, entitled "The illicit trade in small arms and light weapons in all its aspects", the General Assembly called upon all Member States to contribute towards the continued implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects at the national, regional and global levels. It encouraged States, relevant international and regional organizations and civil society with the capacity to do so to cooperate with and assist other States, upon request, in the preparation of comprehensive reports on their implementation of the Programme of Action. The Assembly also requested the Secretary-General to report to it at its sixty-eighth session on the implementation of the resolution.

3. The present report is submitted pursuant to the requests made by the General Assembly in the above-mentioned resolutions. In order to allow for a coherent approach to these overlapping and interconnected issues, the two resolutions are addressed together in this report, as has been the practice in the past.

II. Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them; and implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

A. United Nations system

1. Security Council

4. During the reporting period, the Security Council continued to address the issue of the illicit trade in small arms and light weapons, particularly in the context of country situations and thematic areas such as women and peace and security, children and armed conflict, counter-terrorism, and drug trafficking and security.

5. In particular, the Security Council noted that States in several subregions of Africa are faced with such challenges as porous borders and the increasing illegal trafficking of arms.[1] The Council condemned the continuing illicit flow of weapons within and into countries in conflict.[2] For example, the Council encouraged the Democratic Republic of the Congo to enhance stockpile security, accountability and management of arms and ammunition, with the assistance of international partners as necessary and requested, and to urgently implement a national weapons marking

[1] See S/PRST/2013/5.

[2] See Security Council resolution 2078 (2012).

programme, in particular for State-owned firearms. The Council also called on all States to undertake measures to prevent the proliferation of arms in the Sahel region and urged Sahel and Maghreb States to increase cooperation in that regard.[3]

6. There were mixed results during the reporting period in the implementation of the arms embargo regimes in Côte d'Ivoire, the Democratic Republic of the Congo, Liberia and Libya. Combatants continued to be able to enter an embargoed country with weapons and ammunition, and government stockpiles continued to be a significant source of ammunition for armed groups.[4] In Libya, most stockpiles remained under the control of non-State actors, while the State security sector, in particular with regard to border control management, continued to be rebuilt.[5]

7. Expert groups monitoring compliance with arms embargoes have called for enhanced cooperation and information-sharing between peacekeeping missions in different countries regarding possible arms embargo violations. They have also formulated recommendations regarding capacity-building on national border security, the marking of all arms under government control in accordance with relevant international and regional instruments, and strengthened programmes for the destruction of weapons and ammunition and the management of stockpiles in line with international standards.

2. General Assembly

Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Outcome of the second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

8. The second United Nations conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons was held in New York from 27 August to 7 September 2012. A sponsorship programme managed by the United Nations Development Programme (UNDP) supported the participation of experts from 17 States who were otherwise unable to participate in the meeting of the Preparatory Committee for the Conference, which was held in New York from 19 to 23 March 2012, and in the Conference.

9. The Conference concluded successfully with the adoption, by consensus, of a final report to which substantive outcome documents were annexed: the 2012 Declaration; two Implementation Plans (2012-2018), for the Programme of Action and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons; and a follow-up document that included agreement on a schedule of meetings for the period 2012-2018.[6]

10. In addition to the reaffirmation by Member States of their existing commitments, including with respect to bringing export legislation into line with

[3] See Security Council resolution 2056 (2012).
[4] See S/2012/843; S/2013/228, paras. 24 and 25; and S/2013/261, para. 27.
[5] See S/2013/99.
[6] See A/CONF.192/2012/RC/4.

standards, improving stockpile management, and marking weapons in government stockpiles, several new elements found their way into the outcome documents. These included:

(a) A reference to human rights, which heretofore had not been possible in the context of the United Nations small arms process;

(b) The acknowledgment that the illicit trade in small arms and light weapons continues to exacerbate armed violence;

(c) Recognition that the illicit trade in small arms and light weapons has devastating humanitarian and socioeconomic consequences and undermines sustainable development and poverty eradication efforts;

(d) Encouragement of the further development of mechanisms to increase the measurability and effectiveness of international cooperation and assistance;

(e) Making better use in the United Nations process of the expertise of industry regarding technological developments;

(f) Encouraging regional organizations to align the timing of their regional meetings with the agreed global cycle of meetings.

11. The High Representative for Disarmament Affairs sent a letter to regional organizations on 13 December 2012 informing them of actions they could undertake on the basis of the outcome of the Review Conference.

Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (Firearms Protocol)

12. During the reporting period, the number of States parties to the Firearms Protocol increased to 97. In resolutions 5/4 and 6/2 of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, the Conference requested the United Nations Conference on Drugs and Crime to conduct a study on the transnational nature of and routes used in the trafficking of firearms. Furthermore, the Office has initiated a pilot study that takes into consideration the links to other cross-border trafficking flows and possible connections to organized crime and terrorism. The findings of the study will enable States to devise more effective crime prevention and criminal justice responses to strengthen human security and prevent and combat illicit trafficking in firearms.

Arms Trade Treaty

13. On 2 April 2013, the Arms Trade Treaty was adopted by the General Assembly. The object of the Treaty is to establish the highest possible common international standards for the regulation of the international trade in conventional arms. Its scope includes small arms and light weapons as well as ammunition, parts and components. The Treaty was opened for signature on 3 June 2013.

14. In 2013, the United Nations launched the United Nations Trust Facility Supporting Cooperation on Arms Regulation, which is a flexible, results-focused facility supporting all aspects of the implementation of the Arms Trade Treaty, including small arms and ammunition controls. The Facility will also support projects focused on the implementation of the Programme of Action to Prevent,

Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects as determined by the yearly priorities set by the Facility.

15. With the financial support of donors, UNDP managed five sponsorship programmes for expert representatives from countries, regional organizations and non-governmental organizations to facilitate their participation in the conferences leading up to the adoption of the Arms Trade Treaty. In total, 83 delegates from 36 developing States in Africa, the Asia-Pacific region, the Arab region and Latin America and the Caribbean were sponsored in attending the meetings of the Preparatory Committee and the Treaty conferences, which were held in 2011, 2012 and 2013.

United Nations Register of Conventional Arms

16. Since 2003, more than one half of the Member States reporting to the United Nations Register of Conventional Arms have included in their reports data on their international transfers of small arms and light weapons as a part of additional background information.

17. Over the past decade, a succession of Groups of Governmental Experts on the United Nations Register have discussed the possibility of adding small arms and light weapons as a formal category under the Register. However, the 2013 Group was not able to reach consensus on this issue, which will be taken up again in the 2016 Group.

Activities by United Nations programmes and agencies

18. The Programme of Action Implementation Support System has continued to evolve as the "one-stop shop" for information on the implementation of the Programme of Action. It provides a platform for matching assistance needs with available resources for capacity-building in the area of small arms control and regulation. In 2012, 75 per cent of the States that submitted national reports on the implementation of the Programme of Action and the International Tracing Instrument utilized the online reporting tool or the reporting template,[7] both of which are available in the six official United Nations languages through the System.

19. Over the past year, the United Nations Coordinating Action on Small Arms mechanism continued to promote coherence among the Organization's policies and activities in the area of small arms.[8] Importantly, principals of the mechanism endorsed the completed modules of the International Small Arms Control Standards, the international ammunition technical guidelines and the implementation programme for the guidelines (UN SaferGuard).

International Small Arms Control Standards

20. On 29 August 2012, on the margins of the second Small Arms Review Conference, the United Nations launched the International Small Arms Control Standards following an intensive development process involving partners worldwide. The standards fit within the framework created by existing global agreements on small arms and light weapons control (the Programme of Action, the

[7] Available for Member States at www.poa-iss.org/reporting.

[8] The mechanism provides coordination within the United Nations system on issues related to small arms, the arms trade and ammunition.

International Tracing Instrument and the Firearms Protocol) and build upon best practices developed at the regional and subregional levels.

21. The new standards were designed primarily to streamline policymaking, programming and practice on small arms and light weapons control across United Nations Coordinating Action on Small Arms agencies. They are expected to help ensure that the United Nations as a whole consistently delivers the highest-quality advice and support for the efforts of Member States to develop and maintain effective controls throughout the life cycle of small arms and light weapons. They are also expected to enhance the Organization's ability to "Deliver as one" on this important issue.

22. In 2012, United Nations entities have used the International Small Arms Control Standards to strengthen the support that they provide to Member States in such areas as stockpile management, conducting small arms surveys, marking and record-keeping, tracing illicit small arms and light weapons, the destruction of illicit and surplus arms, border controls and law enforcement cooperation. In addition, several regional organizations have used the Standards as a global reference point in revising or developing regional standards and guidelines on small arms control. Non-governmental organizations specializing in stockpile management and destruction assistance have also used the Standards.

23. The development of further International Small Arms Control Standards, including in the areas of legislative and regulatory controls, programme design and management and cross-cutting issues (related to women, gender, children, adolescents and youth), was begun during the reporting period. Moreover, an Inter-Agency Support Unit was created to promote and support the development and use of the Standards by the United Nations and its partners.

24. In order to support the practical application of the International Small Arms Control Standards, the United Nations Institute for Disarmament Research began developing a software tool that would allow users to apply them in the design, self-assessment, monitoring and evaluation of their small arms control programmes. During the reporting period, the software underwent a process of validation by way of field-testing for its utility and applicability in several States representing a range of capacity and geographic locations.

International ammunition technical guidelines

25. Much of the ammunition circulating among armed groups seems to have been diverted from government security forces, demonstrating the urgent need to better secure ammunition stockpiles. In addition, when they are placed in densely populated areas, stockpiles present a threat to civilian populations.

26. Effective stockpile safety management and security also have an important role in peacekeeping operations. Ammunition confiscated in the course of disarmament, demobilization and reintegration programmes, for example, require specialized handling and management in order to minimize the risk of explosions or rediversion for use in renewed hostilities.

27. During the reporting period, several tools were developed under the UN SaferGuard programme to assist States in ammunition stockpile management. These include a quick-response mechanism that allows for the rapid deployment of ammunition experts in response to requests from Member States for assistance in

securing ammunition stockpiles using the international ammunition technical guidelines; training materials on ammunition stockpile management for armed forces and law enforcement officials; and implementation software for the guidelines to facilitate risk assessments by national experts, including a tool for calculating required depot safety distances with the aid of an online satellite map.[9]

28. The United Nations Mine Action Service initiated the implementation of the international ammunition technical guidelines in several countries. In Côte d'Ivoire, on the basis of the guidelines, the Service supported national authorities in the development of national standards for ammunition storage, including the conduct of assessments of ammunition storage facilities, the disposal of non-serviceable ammunition, the refurbishment/rehabilitation of ammunition storage facilities and armouries, and the provision of training in ammunition safety management. Weapons and ammunition safety management programmes have also been successfully undertaken in Afghanistan, the Congo, the Democratic Republic of the Congo, Libya and the Seychelles.

Group of States Interested in Practical Disarmament Measures

29. The New York-based Group of States Interested in Practical Disarmament Measures has been an informal forum of Member States with an open invitation to United Nations entities and civil society organizations. Pursuant to General Assembly resolution 67/50, the Group supports the implementation of the United Nations Programme of Action on Small Arms and facilitates the exchange of views on issues related to the United Nations small arms process and the effective matching of needs and resources, in accordance with the outcome document of the second Small Arms Review Conference.

30. On the occasion of the second Review Conference, a portfolio on "Matching needs and resources 2012-2014" was presented at the meetings of the Group for consideration for funding. The portfolio featured 31 assistance proposals from 26 States. All requests were formulated on the basis of the needs indicated in the national reports submitted in 2012 and were fully endorsed by the respective national authorities. Since 2011, more than $2 million has been mobilized for small-arms-related international assistance through the efforts of the Group.

B. Selected activities undertaken at the regional and subregional levels

31. During the reporting period, the United Nations Office on Drugs and Crime began implementing a global firearms programme in Latin America and West Africa, which is focused on:

(a) Raising awareness about and promoting of the ratification of the Firearms Protocol;

(b) Developing specialized tools;

(c) Providing legislative assistance to strengthen national legal and regulatory frameworks on firearms and to promote the regional harmonization of laws and practices;

[9] See www.un.org/disarmament/convarms/Ammunition/IATG.

(d) Capacity-building and training in the areas of marking, record-keeping, transfer controls and the collection and destruction of firearms;

(e) Strengthening criminal justice responses with regard to the investigation and prosecution of firearms-related crimes;

(f) Promoting effective judicial cooperation and information exchange with a view to combating illicit firearms trafficking and related offences;

(g) Increasing knowledge of transnational firearms trafficking patterns.

32. In 2012, the United Nations Office on Drugs and Crime provided targeted legislative assistance and legal drafting support for the implementation of the Firearms Protocol to selected countries in South and Central America, South-Eastern Europe and West Africa, and promoted enhanced civil society participation in this process. In addition, the Office cooperated with the Economic Community of West African States (ECOWAS) and the Southern Common Market to organize two regional conferences on legislative harmonization. The conferences, which were held in Argentina in June 2012, and in Senegal in July 2012, with the participation of practitioners and civil society representatives from a total of 17 countries, resulted in the adoption of road maps for legislative review and in the amendment and adoption of new national legislation aimed at incorporating the obligations of the participating States under the Firearms Protocol and the relevant regional instruments. During the same period, the Office translated and disseminated the model law on firearms.

33. UNDP sought to ensure the linkage of small arms control with broader armed violence reduction programmes, including those aimed at establishing the rule of law and building better and stronger governance institutions. Support was provided for national efforts to strengthen institutional capacities to respond to crime and violence (police, justice, line ministries and local governments) and to tackle the challenges of small arms proliferation.

34. UNDP support included the provision of assistance to governments at all levels to increase citizen and community security. The Programme also worked directly with communities in order to understand their perceptions of the security challenges they face and to help them take practical action to address those challenges — for example, by establishing gun-free zones, keeping young people occupied and off the streets, improving job opportunities or improving street lighting.

Africa

35. In Libya, the United Nations Children's Fund (UNICEF) worked with partners to address armed violence through radio spots and talk shows, seeking to highlight the issue at the community level and focusing on risk awareness with regard to small arms and light weapons. In addition, workshops with media and journalists were organized in order to discuss the definition and impact of such weapons and reporting on their misuse. Billboards on the risks of celebratory shootings and the storage of small arms and light weapons at home, developed in partnership with local organizations, were erected in several cities.

36. In May 2012, UNDP and the African Union-United Nations Hybrid Operation in Darfur supported the Government of Sudan in the organization of a regional conference on the control of small arms and light weapons, which resulted in the

Khartoum Declaration, signed by the Central African Republic, Chad, the Democratic Republic of the Congo, Libya and the Sudan. The Declaration provides for the establishment of a joint mechanism and executive secretariat for the implementation and monitoring of regional small arms control activities, including border control, between the signatory countries.

37. In Côte d'Ivoire, UNDP supported the National Commission on Small Arms and Light Weapons through the collection of a total of 1,897 weapons and more than 300,000 rounds of ammunition and the marking of 3,000 police weapons. In Somalia, the Programme's work to reduce armed violence, part of a broader rule-of-law assistance effort, included strengthening the police, increasing access to justice and working with civil society to reduce armed violence.

38. In Burundi, UNDP supported the National Commission of Small Arms Control in linking its work with broader efforts to strengthen the capacity of institutions to deliver justice and security services, including community-oriented policing initiatives to reduce armed violence and improve community security. In the Sudan, support for small arms control was embedded into a broader disarmament, demobilization and reintegration programme.

39. The United Nations Regional Centre for Peace and Disarmament in Africa provided support for the implementation of regional and subregional measures and agreements aimed at combating the illicit trade in small arms and light weapons. The Centre developed training materials and provided training to defence and security sector forces in the following areas: small arms and light weapons control; practical disarmament measures; stockpile management and destruction; the appropriate use of force and weaponry during electoral periods; the role of civil society in practical disarmament; and research techniques on small arms and light weapons. The Centre, upon request, assisted African States in drafting and reviewing national action plans on small arms. In addition, the Centre undertook research on illicit trafficking, with a view to enhancing its ability to support the States of the region and provide tailored assistance activities.

40. The Accra-based Kofi Annan International Peacekeeping Training Centre continued to provide training to government officials from ECOWAS States, particularly on stockpile management, marking, record-keeping, tracing and border security management.

Americas

41. The United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean carried out more than 70 assistance activities, including technical assistance aimed at improving the management of more than 80 weapons stockpiles. This assistance also led to the destruction of more than 40,000 surplus, obsolete and seized small arms and more than 40 tons of ammunition. In addition, the Centre trained more than 430 national security sector officers on small arms control issues, supported public policy dialogue on small arms control and legislative reform in 13 States, and undertook 10 legal comparative studies on small arms legislation. In keeping with Security Council resolution 1325 (2000) and General Assembly resolution 65/69, the Centre published *Forces of Change: Profiles of Latin American and Caribbean Women in*

Combating Illicit Trafficking in Small Arms.[10] Furthermore, the Centre and UNDP, in partnership with the Government of Spain, trained 20 Latin American officials from armed forces, customs agencies, police forces and ministries of foreign affairs in operative controls with respect to transfers of arms and dual-use technologies.

42. In 2012, UNDP supported El Salvador in the implementation of comprehensive citizen security strategies, including gun-free zones and socioeconomic reintegration activities targeting youth and young gang members, which led to an average reduction in homicides of more than 40 per cent across 27 municipalities. In Honduras, UNDP supported the integration of armed violence reduction efforts into a broader national policy on citizen security and peaceful coexistence.

43. In Nicaragua, UNDP supported the efforts of the National Multidisciplinary Commission for the Control of Small Arms and Light Weapons to improve its ability to control firearms. New prevention measures for firearms users have been adopted, including a ban on licences for persons with a history of domestic violence. This work has led to decreases in the use of firearms in crimes and in injury rates. By the end of the reporting period, 67 per cent of the weapons of private security companies and 20 per cent of civilian guns had been registered.

44. During the reporting period, the Americas and Caribbean Regional Office of UNICEF developed a multi-country initiative to address the high levels of armed violence and its impacts on children and adolescents in the region, taking an integrated rights-based approach to child-focused armed violence prevention and reduction. This included a focus on addressing the differential dimensions and impacts of armed violence based on age and gender. Building on previous experience with armed violence prevention and reduction in the region, the initiative continued to follow a three-pronged approach centred on: strengthening data and evidence on the impacts of armed violence on children and adolescents, including differential impacts on girls and boys of different ages; strengthening and integrating armed violence prevention and reduction into institutional systems and mechanisms for child protection; and support for community-based and child-centred armed violence prevention and reduction programmes. Acknowledging the reinforcing and intergenerational nature of various forms of violence (armed violence, domestic violence, physical and sexual abuse of children, gender-based violence) in various environments (homes, communities, institutions), the Fund's armed violence prevention and reduction efforts were linked and integrated with wider efforts to prevent and respond to violence against children, including girls, as a group with specific vulnerabilities, and women.

Asia and the Pacific

45. The United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific continued to support national and regional discussions on combating the illicit trade in small arms and light weapons, in particular by organizing its two annual conferences on disarmament, non-proliferation and security issues (in Japan and the Republic of Korea). In Thailand, the Centre organized a national workshop aimed at enhancing the capacity of State agencies in the area of small arms control.

[10] Available at http://www.un.org/disarmament/HomePage/ODAPublications/AdhocPublications/PDF/Forces_of_Change.pdf

The Centre also facilitated regional dialogue between States on the Arms Trade Treaty and provided the Association of Southeast Asian Nations with assistance on the issue of small arms and light weapons.

46. In Nepal, UNICEF continued supporting a surveillance system on armed violence that has been operational in all 75 districts of the country and that provides information on armed violence to governmental authorities, civil society organizations and other stakeholders. The data provided evidence for the advocacy of armed violence reduction interventions in Nepal. Meanwhile, UNICEF, the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and UNDP continued their collaborative work on armed violence reduction through the armed violence reduction working group established in 2010.

Other regions

47. During the reporting period, the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons, with the support of UNDP, focused its efforts on the destruction of confiscated and surplus weapons and the upgrading of storage facilities. In Croatia and Serbia, the Clearinghouse assisted the Governments of those countries in the disposal of 16,329 and 17,000 weapons, respectively. In Bosnia and Herzegovina, the Clearinghouse assisted in improving security at four arms and ammunition storage facilities of the armed forces. Furthermore, the Clearinghouse continued to support and act as the secretariat for the regional information exchange process on arms exports. This informal platform for information exchange has contributed significantly to the enhancement of transparency and regional confidence-building and cooperation.

III. Observations and conclusions

48. Given the gravity of the consequences of the illicit trade in small arms and light weapons and their uncontrolled proliferation, the United Nations will continue to address this issue in a comprehensive and integrated manner. The renewed commitment of Member States to the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, as expressed during the second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action, has been encouraging. The adoption of the Arms Trade Treaty was a landmark achievement targeting the unregulated trade in small arms and light weapons. Given their synergetic relationship, the Arms Trade Treaty is expected to lend strong impetus to the implementation of the Programme of Action, the Firearms Protocol and the International Tracing Instrument.

United Nations A/68/172

General Assembly

Distr.: General
22 July 2013

Original: English

Sixty-eighth session
Item 87 of the provisional agenda*
The law of transboundary aquifers

The law of transboundary aquifers

Report of the Secretary-General

Summary

The present report, prepared pursuant to General Assembly resolution 66/104, contains comments and observations of Governments on the draft articles on the law of transboundary aquifers.

* A/68/150.

13-40346 (E) 140813

Please recycle

Contents

		Page
I.	Introduction	3
II.	Comments and observations received from Governments	3
	Chile	3
	Cuba	3
	El Salvador	3
	Finland	4
	Iraq	5
	Japan	5
	Kuwait	6
	Morocco	7
	Portugal	7
	Spain	8
	United States of America	9

I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 66/104, in which the Assembly decided to include in the provisional agenda of its sixty-eighth session the item entitled "The law of transboundary aquifers", and in the light of written comments of Governments, as well as views expressed in the debates of the Sixth Committee held at its sixty-third and sixty-sixth sessions, to continue to examine, inter alia, the question of the final form that might be given to the draft articles on the law of transboundary aquifers adopted by the International Law Commission.

2. The Secretary-General, in a circular note dated 28 December 2011, drew the attention of Governments to the resolution, and a reminder was sent out on 21 January 2013.

3. The present report should be read together with the previous report of the Secretary-General (A/66/116 and Add.1).

II. Comments and observations received from Governments

Chile

4. Chile reiterated the information contained in its previous submission (see A/66/116/Add.1, paras. 1-3). It also noted that discussions on the law of transboundary aquifers should be based on scientifically validated knowledge.

Cuba

5. Cuba stated that it supported the creation of regional and bilateral agreements between States as a means to solve conflicts arising from transboundary aquifers. Moreover, in the light of the close relationship between surface and subterranean watersheds, as well as the characteristics of the hydrological cycle, transboundary aquifers should be analysed together with transboundary watercourses.

El Salvador

6. El Salvador recalled that, in the outcome document of the United Nations Conference on Sustainable Development (General Assembly resolution 66/288, annex, paras. 119-124), it was recognized that "water is at the core of sustainable development as it is closely linked to a number of key global challenges", such as poverty eradication, sanitation and food security, and, in that connection, noted that it was essential that States helped to ensure the protection of aquifers by taking appropriate measures designed to prevent harm to their intrinsic vulnerability, in addition to harm caused by various external factors, including pollutants and overuse.

7. For El Salvador, it was essential to strike a proper balance between rights and obligations, recognizing both States' sovereignty over the natural resources located within their territory and the existence of certain restrictions which, in that case,

arose from, among others, the nature and capacity of the aquifer or aquifer system itself, current and future needs and the effects of aquifer use.

8. In the light of the urgent need to protect such water resources, El Salvador noted the significant progress on the topic of transboundary aquifers that had been achieved within the framework of the United Nations in recent years as contained in General Assembly resolution 63/124, in which the Assembly had taken note of the final text of the draft articles adopted by the Commission.

9. Recalling its previous comments (see A/66/116, paras. 41-49), El Salvador noted that the draft articles rightly included obligations in line with the development of international environmental law, such as the obligations of prevention, monitoring and proper management. Moreover, given that those were primary obligations, they should be supplemented by norms relating to State responsibility, either for internationally wrongful acts or for liability for lawful acts that caused significant environmental damage. Such norms had been developed by the Commission and were widely recognized in international law.

10. With regard to the final form of the articles, El Salvador noted that it was clear that the adoption at the international level of binding norms to regulate the use of aquifers and prevent their destruction represented one way of ensuring the protection of water resources. The elaboration of an international convention on the matter should therefore not be categorically dismissed. El Salvador remained flexible as to the final form of the draft articles but found it necessary to reiterate that the debate should focus on choosing the form most conducive to genuine protection of transboundary aquifers in the light of their importance to all humankind.

Finland

11. Finland attached great importance to the worldwide promotion of the sustainable use and protection of aquifers. According to current research, climate change and its effects were further accentuating the importance of reserves of fresh water, and especially clean groundwater, as a particularly valuable natural resource in the future. Currently, many densely populated areas already consumed groundwater reserves faster than new ones were being formed. For Finland, given that many aquifers crossed State borders, their protection and use should be agreed upon by the States concerned.

12. Accordingly, it would be logical to draft an international convention on the basis of the draft articles. In addition, mutual and bilateral cooperation should be encouraged, and bilateral and regional treaties, plans and other forms of cooperation between bordering countries should be emphasized as a means to regulate the protection and use of water resources in more detail. The differences in natural conditions, culture, economy and legislation that prevailed between States could be more effectively taken into account in bilateral rather than multilateral agreements.

13. Finland had concluded bilateral agreements on frontier waters with Norway, the Russian Federation and Sweden, but they covered only surface waters. Finland was also a party to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, concluded in 1992, which was based on the same principles of international water law as the draft articles currently under

consideration. From its experience drawn from the implementation of those agreements, Finland was of the opinion that the draft articles could also contribute to the protection and collective use of aquifers.

14. In the view of Finland, it would, however, be desirable to include in an eventual new convention an institutional mechanism to advance the operation of the convention. Finland also noted that the obligation set out in draft article 4 (c) to establish a comprehensive utilization plan might be disproportionate when a transboundary aquifer was not used or required no protection for other reasons.

15. Finland also emphasized the role of preventive measures as an essential form of aquifer risk management. Existing risk factors should be identified and the measures needed to prevent the realization of those risks implemented. For that reason, Finland recommended including provisions in the draft articles that underlined preventive measures. Moreover, it would be advisable to include provisions that acknowledged the effects of current and future environmental threats to the quality and volume of groundwater reserves, in addition to means of adapting to those effects.

Iraq

16. Iraq suggested that the term "transboundary aquifer" should be replaced by the term "shared aquifer".

17. In addition, Iraq observed that, in view of the close connection between matters addressed by the Convention on the Law of the Non-navigational Uses of International Watercourses of 1997 and any draft framework on the law of transboundary aquifers that might be adopted, there should be further discussion in order to achieve an acceptable formulation.

18. Iraq also asserted that developing countries needed support in order to ensure that their transboundary aquifers were not overexploited or polluted. It suggested that the International Hydrological Programme of the United Nations Educational, Scientific and Cultural Organization (UNESCO) should be requested to offer further assistance in implementing the draft articles to States seeking to conclude bilateral or regional agreements.

Japan

19. Japan expressed its sincere appreciation to the International Law Commission for its valuable work on the law of transboundary aquifers, including its adoption of the draft articles and the detailed commentaries thereto.

20. It emphasized the importance of the proper management of aquifers, noting that demand for fresh water had dramatically increased in many places, in particular in areas of rapid socioeconomic development caused by significant population growth. It also stressed that much fresh water was located in aquifers, which frequently stretched across national boundaries. The need for mechanisms for their proper management notwithstanding, a number of transboundary aquifers had been heavily overexploited, seriously depleted and damaged by pollution. Accordingly, it was urgent to develop legal instruments to regulate the use of transboundary aquifers in order to attain the common goal of sustainable development.

21. From that standpoint, the draft articles provided a valuable platform for States concerned with the establishment of bilateral or regional frameworks to manage their particular aquifer systems. In the first place, the draft articles, in the view of Japan, adequately reflected a wide range of State practice and accurately described established practice in the field. The elaboration of the draft articles had also been well supported by scientific evidence, given that UNESCO had provided valuable scientific and technical expertise to the Commission in that elaboration. Furthermore, the draft articles set out the essential elements of a possible legal framework and served as a common basis for the negotiation of bilateral and regional conventions. For example, the Agreement on the Guaraní Aquifer had been drafted with due regard for the draft articles. Japan also noted that the General Assembly, in its resolutions 63/124 and 66/104, had encouraged the States concerned to make appropriate arrangements for the management of their transboundary aquifers, taking into account the provisions of the draft articles.

22. With regard to their final form, Japan noted that, at the sixty-third and sixty-sixth sessions of the General Assembly, held in 2008 and 2011, respectively, the vast majority of States had given favourable consideration to the draft articles. Nevertheless, the Assembly had not reached a conclusion regarding the issue. Considering the importance and urgency of the law of transboundary aquifers, Japan believed that the sixty-eighth session of the Assembly would afford a desirable opportunity to reach a conclusion on the question. Japan suggested that, if some Member States continued to find difficulty in immediately adopting the draft articles as an international convention, consideration should be given to the possibility of declaring the draft articles as guiding principles for bilateral, regional and other forms of arrangements for the proper management of transboundary aquifers.

Kuwait

23. Kuwait noted that, in the arid environment in which it was located, there was no surface water and the usable groundwater was either limited or overexploited. That state of affairs necessitated effective management of its transboundary aquifers, including the Dammam Limestone Formation and the Kuwait Group aquifer system, the major recharge zone of which was located in Saudi Arabia and the discharge zone of which extended along the coastal parts of Kuwait and the lower parts of the Shatt al-Arab valley in Iraq.

24. To ensure the effective sustainable management of its transboundary aquifers, Kuwait had identified a number of necessary measures. First, a comprehensive and cooperative hydrological evaluation of the aquifer systems in neighbouring States was essential to assessing the long-term sustainability and water quality of the aquifers in the region. Second, it was vital that the States in the region managed brackish groundwater resources cooperatively in order to enable their sustainable use, preservation and protection. Moreover, Kuwait would make all efforts to formulate bilateral and regional agreements with neighbouring States in relation to transboundary aquifers. In that effort, it might seek the assistance of the UNESCO Internationally Shared Aquifers Resources Management Programme.

25. For Kuwait, the draft articles on the law of transboundary aquifers, and their commendation to the attention of Governments by the General Assembly, represented a timely step in supporting the effective management of transboundary

aquifers. It hoped that the draft articles would soon be adopted, taking into consideration the viewpoints of all stakeholders concerned. Kuwait also looked forward to using the draft articles in its efforts to reach mutual understandings with neighbouring States.

Morocco

26. Morocco noted that, given that it was in possession of a major aquifer system spread between the east and north of the country, part of which was shared with Mauritania and Algeria, it had made considerable efforts to protect and preserve its groundwater resources. Those efforts were reflected in the adoption of Act No. 10-95 and its implementing provisions, which constituted a general framework of regulations governing all bodies of water, both surface water and groundwater, and defined them as falling within the public domain of the State. In addition, Morocco said that it had acceded to the Convention on the Law of the Non-navigational Uses of International Watercourses on 13 April 2011.

27. Morocco considered the adoption of resolution 66/104 and the desire for an international legal framework relating to the law of transboundary aquifers to be of undeniable importance. Besides promoting rational management, those initiatives helped to strengthen measures adopted at the national level on the topic and encouraged the States concerned to make the bilateral or regional arrangements necessary for the proper management of their transboundary aquifers.

28. In the view of Morocco, the question of transboundary aquifers undoubtedly pertained to permanent sovereignty over natural resources, in accordance with General Assembly resolution 1803 (XVII), as was recalled in the third preambular paragraph of the draft articles. In that context, international cooperation on transboundary aquifers would not be confined only to the criteria of the rational and sustainable use of such aquifers and the obligation of each State not to cause harm to the groundwater resources of other States, but also would be concerned with respect for the sovereign rights of each State relating to the management, control and use of its aquifers throughout its territory.

Portugal[1]

29. Portugal observed that the subject of transboundary sharing of water was extremely relevant and particularly complex in the modern world. It was relevant for development. It also had political and economical importance. At the same time, there was potential conflict inherent in shared waters, as well as environmental considerations relating thereto.

30. Portugal expressed the belief that the draft articles on the topic could provide a positive contribution to the proper management of the existing transboundary aquifers around the world and thence to the promotion of peace. In that context, Portugal underlined the need for the inclusion in the draft articles of a reference to the human right to water and of principles of international environmental law.

[1] For previous comments of Portugal, see A/66/116, paras. 90 and 91.

31. Portugal noted that, overall, the solutions presented in the draft articles were well balanced and in line with contemporary international law. In that connection, it noted that there were some similarities between the articles on the law of transboundary aquifers with the articles of the Convention on the Law of the Non-navigational Uses of International Watercourses of 1997 and with the United Nations Convention on the Law of the Sea. It also observed that the draft articles were compatible with the European Union law on the matter that already applied to Portugal, namely directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (the Water Framework Directive) and directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration. The existence of specific European Union law applicable to the subject matter should not prevent States members of the European Union, including Portugal, from contributing to the development and universal codification of the law of transboundary aquifers. In that regard, Portugal reaffirmed its belief that the articles should evolve into an international framework convention.

Spain[2]

32. Spain noted that it had the legal and technical instruments necessary to ensure cooperation for the proper management of transboundary aquifers. Cooperation with neighbouring countries, namely Portugal, France and Andorra, was seamless and helped to resolve potential problems or conflicts in the management of shared surface-water and groundwater resources.

33. It had concluded with Portugal, for example, the Agreement on Cooperation for the Protection and Sustainable Use of the Waters of the Spanish-Portuguese Hydrographic Basins (the Albufeira Agreement). The Agreement, which had been signed on 30 November 1998 and had entered into force in 2000, was aimed at enabling cooperation between the two countries for the protection of surface water and groundwater, in addition to the aquatic and terrestrial ecosystems that were directly dependent thereon, and for the sustainable use of the water resources of the Miño Sil, Duero, Tajo and Guadiana river basins. It was also designed to protect the good status of the water (including groundwater) and to promote water-use activities that had or were likely to have transboundary effects. It further allowed for the adoption of measures to mitigate the impact of floods and droughts.

34. In an effort to achieve the goals of the Agreement, Spain and Portugal had agreed to implement the following cooperation mechanisms: regular and systematic exchange of information; consultations and activities within the organs of the Agreement (the Conference of the Parties and the Commission for the Implementation and Development of the Albufeira Agreement); and individual or joint adoption of technical, legal, administrative or other measures needed for the implementation and development of the Agreement. The Agreement further provided for the establishment of joint or coordinated communication systems for the transmission of alert and emergency information, which allowed for the adoption of appropriate preventive or corrective measures.

[2] For previous comments of Spain, see A/66/116, paras. 110 and 111.

35. Spain recalled that, while shared aquifers existed, transboundary water bodies had not been contemplated in the definition of groundwater bodies developed during the first hydrological planning cycle of the Water Framework Directive. The most relevant transboundary aquifers were found in the former hydrogeological units of Bajo Miño, Ciudad Rodrigo-Salamanca, Moraleja and Vegas Bajas, located in the Miño-Sil, Duero, Tajo and Guadiana river basins, respectively. The surface area of the four hydrogeological units amounted to some 5,000 km^2, more than 4,000 km^2 of which was represented by the river basin of Ciudad Rodrigo-Salamanca. That river basin had an estimated volume of renewable resources of less than 150 hm^3 per year, the largest segment of which corresponded to the alluvial aquifers connected directly to surface watercourses.

36. Spain also provided information on an administrative agreement with France on water management (the Toulouse Agreement), which regulated the sustainable and integrated management of transboundary watercourses between Spain, France and Andorra. The transboundary aquifers of those countries were located in the former hydrogeological units of Larra and La Cerdanya, in the Ebro river basin. Those were stand-alone aquifers, with a carbonated and mixed lithology, respectively, and with surface areas of 62.70 km^2 and 245.49 km^2, respectively. Just as the shared transboundary aquifers between Spain and Portugal, the shared transboundary aquifers between Spain, France and Andorra were of limited significance. Consequently, in the current case, there was no specific bilateral agreement regulating the law of transboundary aquifers between the States. There was, however, a transboundary technical committee that ensured mutual understanding between the parties and the entire process had been characterized by good coordination and consultation.

37. Overall, Spain considered that the current framework of international cooperation with Portugal and with Andorra and France upheld the law of transboundary aquifers and was in accordance with paragraphs 1 to 3 of General Assembly resolution 66/104.

United States of America[3]

38. The United States continued to believe that the Commission's work on transboundary aquifers constituted significant progress in providing a possible framework for the reasonable use and protection of underground aquifers, which were playing an increasingly important role as water sources for human populations. For all States, and especially those struggling to cope with pressures on transboundary aquifers, the Commission's efforts to develop a set of flexible tools for using and protecting those aquifers had been a very useful contribution.

39. Nevertheless, there remained much to learn about transboundary aquifers in general and specific aquifer conditions, with State practices varying widely. Moreover, the draft articles, of which the General Assembly had taken note in resolution 63/124 and discussed in connection with resolution 66/104, went beyond current law and practice. For those reasons, the United States continued to believe that context-specific arrangements, as opposed to a global framework treaty, provided the best way to address pressures on transboundary groundwater. As

[3] For previous comments of the United States, see A/66/116, paras. 116-118.

decided by the Assembly in its resolutions 63/124 and 66/104, States concerned should take into account the provisions of the draft articles when negotiating appropriate bilateral or regional arrangements for the proper management of transboundary aquifers. Numerous factors might appropriately be taken into account in any specific negotiation, such as hydrological characteristics of the aquifer at issue; current uses and expectations regarding future uses; climate conditions and expectations; and economic, social and cultural considerations. Maintaining the articles in their current draft form was suitable for those purposes.

40. The United States remained unconvinced that, if the draft articles were fashioned into a global treaty, the treaty would garner sufficient support or would be necessary. It recognized, however, that many States had expressed an interest in such a framework convention. If the draft articles were to take the form of a treaty, a number of important issues would need to be addressed. For example, appropriate final articles for a convention would need to be developed, in addition to articles that established the relationship between the proposed convention and other bilateral or regional arrangements. In particular, care would need to be taken not to either supersede existing bilateral or regional arrangements or to limit the flexibility of States entering into such arrangements.

United Nations A/68/173

General Assembly

Distr.: General
22 July 2013

Original: English

Sixty-eighth session
Item 78 of the provisional agenda*
Criminal accountability of United Nations officials and experts on mission

Criminal accountability of United Nations officials and experts on mission

Report of the Secretary-General

Summary

The present report has been prepared pursuant to paragraphs 16 and 17 of General Assembly resolution 67/88. Section II contains information received from Governments on the extent to which jurisdiction, in particular over crimes of a serious nature committed by their nationals while serving as United Nations officials or experts on mission, is established under their national laws. Section III provides information on cooperation among States and with the United Nations in the exchange of information and the facilitation of investigations and prosecution of such individuals. Sections IV and V relate to information on the activities within the Secretariat.

* A/68/150.

13-40358 (E) 060813

Please recycle

I. Introduction

1. In its resolution 67/88, the General Assembly requested the Secretary-General to report on the implementation of the resolution, in particular with respect to its paragraphs 3, 5 and 9, as well as any practical problems in its implementation, on the basis of information received from Governments and the Secretariat.

2. By a note verbale dated 4 January 2013, the Secretary-General drew the attention of all States to that resolution and requested them to submit relevant information.

3. The present report provides information on efforts undertaken in that regard. Sections II and III concern activities and information received relating to the criminal accountability of United Nations officials and experts on mission, as required under paragraphs 3 to 5, 9 and 15 of resolution 67/88. Sections IV and V of the report relate to activities undertaken within the Secretariat in the implementation of paragraphs 6, 7 and 9 to 14 of the resolution, focusing in particular on information regarding the bringing of credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission to the attention of the States against whose nationals such allegations are made, and matters related thereto. The present report should be read together with previous reports of the Secretary-General under this item (A/63/260 and Add.1, A/64/183 and Add.1, A/65/185, A/66/174 and Add.1 and A/67/213). Attention is also drawn to the report of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse (A/67/766) (see in particular paras. 37 and 49).

II. Establishment of jurisdiction over crimes of a serious nature

Egypt

4. Egypt stated that pursuant to articles 3 and 4 of its Criminal Code, any Egyptian who perpetrates abroad an act that is considered a felony or a misdemeanour under that Code is liable to punishment in accordance with the provisions thereof, provided that:

(a) The perpetrator of the criminal conduct has returned to Egyptian territory;

(b) That act is punishable under the laws of the State in which it was perpetrated;

(c) He or she has neither been acquitted by a foreign court nor been found guilty and completed the sentence imposed.

5. Egypt emphasized that the application of its Criminal Code to United Nations officials and experts on mission must be in compliance with the relevant provisions of the Convention on the Privileges and Immunities of the United Nations of 1946.

Greece

6. Greece reiterated its previous comments contained in paragraphs 18 to 20 of document A/63/260. Greece stated that for purposes of the extraterritorial

application of the provisions of articles 6 to 8 of the Greek Penal Code, in general stateless persons and foreigners are regarded similarly. Though not applicable to the crimes listed under article 8 (providing for universal jurisdiction), pursuant to article 9, paragraph 1, the institution of criminal proceedings for acts committed abroad is precluded if:

(a) The accused was tried abroad and acquitted or, if convicted, has served his or her sentence in full;

(b) According to foreign law, prosecution of the act has been time barred or the inflicted sanction has been time barred or pardoned;

(c) According to foreign law, for the act to be prosecuted the victim is required to file a criminal complaint, and such complaint has not been filed or has been revoked.

7. In addition, article 2 of Law 3948/2011 (Official Gazette, vol. A, No. 71), on the adjustment of domestic law to the provisions of the Rome Statute of the International Criminal Court, provides that the provisions of this Law are applicable to both nationals and non-nationals for all acts enumerated in articles 7 to 15 (i.e. genocide, crimes against humanity, war crimes, violation of the duty of supervision, omission to report a crime), provided that they have been committed:

(a) In the territory of the Greek State or on board Greek vessels or aircraft, wherever they are present, unless they are subject to foreign legislation according to international law;

(b) Abroad, by Greek nationals or foreigners who acquired Greek nationality after the commission of the act;

(c) Abroad, against the Greek State or Greek nationals.

Lebanon

8. Lebanon recognized the applicability of the Convention on the Privileges and Immunities of the United Nations, in particular article VI, section 23, and the role of the Secretary-General in waiving immunity. It stated that Lebanon may therefore try United Nations officials and experts on mission if they commit an act that is considered a crime under Lebanese law.

9. The Agreement concerning the Headquarters of the United Nations Economic and Social Commission for Western Asia does not preclude the exercise of criminal jurisdiction over United Nations staff and experts on mission in accordance with Lebanese laws. Lebanon noted that these individuals are therefore not exempt from the consequences of criminal acts committed at their duty station, or penalized without legal grounds or due process under the laws of the host country.

Oman

10. Oman affirmed that its Penal Code, issued by royal decree, is capable of establishing jurisdiction over serious crimes committed by nationals of Oman working for the United Nations in their work function. Under article 10 of the Code, Omani law is applicable to every Omani national, whether committing, instigating

or acting as an accomplice to a crime (felony or misdemeanour) punishable under Omani law, committed outside the Omani territory, unless he or she was tried abroad and, in case of condemnation, the sentence was executed, or if the crime or the sentence was dropped according to general or private amnesty, or if the charges were dropped. Oman stated that the matter remained within its jurisdiction even if the defendant lost Omani citizenship or acquired it after the crime was committed, but in this case, the crime must be one that is punishable by at least three years' imprisonment. If Omani law is different from the law of the State where the crime was committed, the difference will be taken into account in favour of the defendant.

Qatar

11. Qatar recalled the information contained in paragraph 16 of document A/66/174 (see also A/65/185, para. 35, and A/63/260, para. 30) and emphasized the participation of Qatar in the United Nations Interim Force in Lebanon, in which no violations or crimes were registered against its nationals.

Sweden

12. Sweden recalled the information contained in paragraph 24 of document A/64/183.

III. Cooperation between States and with the United Nations in the exchange of information and the facilitation of investigations and prosecutions

Finland

13. Finland noted that Finnish military observers were subject to training through legal classes, including on the criminal responsibility of military observers under national law, international law and the law of the host country; military, war and other crimes; and information on procedures after crimes nave been committed. The criminal responsibility of Finnish military or civilian crisis management personnel under Finnish law is stressed, including when they are immune from the jurisdiction of the national courts of the State where they are operating. Training is also provided on gender issues, including on issues related to human trafficking, prostitution and the protection of victims.

Qatar

14. Qatar recalled the information contained in paragraph 76 of document A/65/185 (see also A/66/174, para. 51).

Sweden

15. Sweden stated that its judicial assistance to and cooperation with other States were governed by numerous bilateral and multilateral agreements.

IV. Bringing credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission to the attention of the States against whose nationals such allegations are made, and matters related thereto

16. In paragraphs 9 to 14, 16 and 17 of its resolution 67/88, the General Assembly urged Member States to provide information to the Secretary-General, requested the Secretary-General to provide certain information to the Assembly and requested the United Nations to take certain measures concerning the issue of criminal accountability of officials and experts on mission..

Referrals in relation to officials or experts on mission

17. The request in paragraph 9 of resolution 67/88 is similar to that made by the Assembly in paragraph 9 of its resolutions 66/93 (see A/67/213), 65/20 (see A/66/174), 64/110 (see A/65/185), 63/119 (see A/64/183) and 62/63 (see A/63/260).

18. The information provided in the present report relates to the period from 1 July 2012 to 30 June 2013. During the reporting period, the Office of Legal Affairs referred to States of nationality the cases of nine United Nations officials for investigation and possible prosecution. Of those cases, three concerned allegations of fraudulent conduct and misappropriation of funds, and each of the rest concerned allegations of misuse of information and communications technology resources, misappropriation of funds, irregularities and improper actions regarding the recruitment of individual contractors, education grant fraud, assault of a United Nations official, and receipt of payments by a vendor while involved in procurement functions, respectively.

Requests for indication of status and assistance that may be provided by the Secretariat

19. The Office of Legal Affairs requested the States to which cases were referred during the reporting period to keep the United Nations informed of any action taken by national authorities in relation to such cases. As at the date of preparation of the present report, three States to which referrals were made had contacted the Office of Legal Affairs to note that the matter had been raised with relevant officials. The Office of Legal Affairs remains ready to assist with all referrals made.

20. Details of earlier requests by the Secretariat for information from States on how they were handling cases previously referred to them are contained in the previous reports of the Secretary-General on the subject (see A/64/183, para. 63; A/65/185, paras. 85-86; A/66/174, paras. 62-63; and A/67/213, paras. 36-37).

Possible use by States exercising jurisdiction of information from United Nations investigations

21. In paragraph 11 of its resolution 67/88, the General Assembly requested the United Nations, when its investigations into allegations suggest that crimes of a serious nature may have been committed by United Nations officials or experts on mission, to consider any appropriate measures that may facilitate the possible use of information and material for purposes of criminal proceedings initiated by States, bearing in mind due process considerations. In the same vein, in paragraph 13 of that resolution, the Assembly urged the United Nations to continue cooperating with States exercising jurisdiction in order to provide them, within the framework of the relevant rules of international law and agreements governing activities of the United Nations, with information and material for purposes of criminal proceedings initiated by States.

22. In that regard, it is important to recall that the legal framework within which the referrals are made by the United Nations and the role of the Secretary-General have been outlined previously (see A/63/260, sect. IV).

23. The United Nations cooperates with law enforcement and judicial authorities of relevant Member States in accordance with its rights and obligations under the Convention on the Privileges and Immunities of the United Nations of 1946, as well as other relevant international agreements and applicable legal principles. Accordingly, the Organization will disclose documents and/or information and waive immunity on a case-by-case basis where, in the opinion of the Secretary-General, immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. Consequently, information obtained by the Organization may be provided to the relevant authorities, and documents may be shared, subject to consideration of confidentiality and privileges and immunities. Documents may be redacted where necessary. It should be noted that, since the United Nations does not have any criminal investigative or prosecutorial jurisdiction, the use of any documents or information provided by the United Nations, including their admissibility in any legal proceedings, is a matter for determination by the relevant judicial authorities to which such documents or information have been provided.

Protection of United Nations officials and experts on mission from retaliation

24. In paragraph 12 of its resolution 67/88, the General Assembly encouraged the United Nations, should allegations against United Nations officials or experts on mission be determined by a United Nations administrative investigation to be unfounded, to take appropriate measures, in the interests of the Organization, to restore the credibility and reputation of such officials and experts on mission.

25. Moreover, the General Assembly, in paragraph 14 of the same resolution, emphasized that the United Nations, in accordance with the applicable rules of the Organization, should take no action that would retaliate against or intimidate United Nations officials and experts on mission who report allegations concerning crimes of a serious nature committed by United Nations officials and experts on mission.

26. In this regard, United Nations officials who report misconduct by other United Nations officials or experts on mission are protected against retaliation under the staff regulations, rules and relevant administrative issuances, in particular, the

Secretary-General's bulletin entitled "Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations" (ST/SGB/2005/21), which was issued with the objective of enhancing protection for individuals who report misconduct or cooperate with duly authorized audits or investigations. In addition, it should be noted that staff members may appeal any retaliatory measure through the internal justice system.

V. Other practical measures to strengthen existing training on United Nations standards of conduct, including through predeployment and in-mission induction training

27. The Department of Peacekeeping Operations and the Department of Field Support, with the assistance of conduct and discipline teams in place in peacekeeping and special political missions supported by the Department of Field Support, continued to implement the United Nations three-pronged strategy to address all forms of misconduct, in particular sexual exploitation and abuse, through the prevention of misconduct, the enforcement of United Nations standards of conduct, and remedial action. Awareness-raising activities, in particular predeployment and induction training programmes provided to personnel serving in field missions, continue to emphasize the obligation of all United Nations personnel to observe the laws of the host State, as well as possible consequences in terms of accountability should United Nations personnel fail to do so.

United Nations A/68/174

General Assembly

Distr.: General
22 July 2013

Original: English

Sixty-eighth session
Item 27 (a) of the provisional agenda*
Social development

Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

Report of the Secretary-General

Summary

The present report is submitted in accordance with General Assembly resolution 67/141. It provides an overview of the discussions held by the Commission for Social Development during its fifty-first session on the priority theme of promoting the empowerment of people in achieving poverty eradication, social integration and full employment and decent work for all. It highlights the critical role of the empowerment of people as an approach to the advancement of social development and the importance of integrating fully and effectively the social dimension of sustainable development into the global development agenda beyond 2015.

The report concludes with recommendations for consideration by the General Assembly.

* A/68/150.

13-40364 (E) 150813

Please recycle

I. Introduction

1. In resolution 67/141, the General Assembly reaffirmed that the Commission for Social Development had primary responsibility for the follow-up to, and review of, the World Summit for Social Development and the outcome of the twenty-fourth special session of the General Assembly and requested the Secretary-General to submit a report on the question to the Assembly at its sixty-eighth session.

2. The present report summarizes the discussions of the fifty-first session of the Commission for Social Development, with particular focus on the priority theme of promoting the empowerment of people in achieving poverty eradication, social integration and full employment and decent work for all. The first part of the present report reviews the concept of the empowerment of people and discusses policies and strategies for the promotion of an enabling environment. It addresses the special needs of Africa and the least developed countries, as well as progress achieved in the implementation of programmes related to social groups and social integration. The second part of the report focuses on the effective integration of the social dimension of sustainable development into the global development agenda beyond 2015. The report concludes with a set of recommendations for the consideration of the General Assembly.

II. Issues before the Commission for Social Development at its fifty-first session

A. Priority theme: promoting the empowerment of people in achieving poverty eradication, social integration, full employment and decent work for all

1. Linkages to the World Summit for Social Development

3. At the World Summit for Social Development, held in Copenhagen in 1995, Heads of State and Government acknowledged the urgent need to tackle profound social challenges — foremost among them poverty, unemployment and social exclusion — and pledged to address both underlying structural causes and their consequences, in order to reduce uncertainty and insecurity in the lives of people.

4. The social challenges identified at the Summit persist today and their negative consequences have intensified, as increasingly complex and interrelated new global challenges have emerged. Following the recent global financial and economic crisis, challenges such as widening inequality, high and volatile food and fuel prices and menacing environmental risks, have become even more prominent and have been frustrating many efforts to promote social development aimed at enhancing the well-being and quality of life of people.

5. The Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development[1] placed empowerment and participation at the heart of advancing social development. They envisioned empowered people optimizing their capacities, resources and opportunities, leading healthy and productive lives, exercising their rights and responsibilities to be active

[1] A/CONF.166/9, chap. I, annexes I and II.

in their communities and as partners in development. The empowerment of people, therefore, was considered central to achieving the overarching goals of the World Summit for Social Development: poverty eradication, social integration and full and productive employment and decent work for all.

2. An enabling environment for empowerment

6. The concept of empowerment has been a byword at the United Nations for many years, referring mainly to the promotion of the rights and enhancement of the capabilities and functioning of marginalized and disadvantaged social groups, including women, persons with disabilities, indigenous peoples, youth and older persons.[2] However, in recent years, there has been a growing recognition that the empowerment of people needs to go beyond group-specific approaches. Rather, it should embrace a holistic view based on the goal of people-centred development.

7. The empowerment of people has two dimensions that are mutually reinforcing. It is a process of self-development and a tool for enhancing the capabilities of individuals. At the same time, it involves transforming people as the principal resource for the achievement of development goals. Empowerment derives from and builds on the intrinsic resource of human beings themselves and their inner potential for taking ownership of their own destiny. Meaningful participation is, therefore, one of the most prominent features of empowerment. Through active participation, people influence decisions determining the functioning and well-being of their societies, while positive outcomes of those decisions reinforce their empowerment.

8. The precise meaning of empowerment may vary from person to person according to their historical, social or cultural background. In the context of social development, empowerment can be described as enhancing the capabilities of all individuals and groups, in particular vulnerable social groups and people living in poverty, to participate fully in all aspects of society and to exercise greater choice and control over their own well-being. Empowerment gives people choices and enables them to claim their rights, yet holds them accountable for their responsibilities. As such, empowered people can be active agents of change and driving forces for a more inclusive, sustainable path to development.

9. The process of empowerment involves both policies and an enabling environment that seek to enhance the choices and capacities of people, including political commitment to supporting effective participation and engagement; the provision of adequate financial resources; a strong, just and non-discriminatory legal framework; effective, transparent and accountable institutions that facilitate civic engagement and broad-based participation; the involvement of people in the formulation and implementation of policies and strategies; and public and private investment in human resource development and capacity-building. In addition, efforts to promote empowerment should focus on transforming the mindsets, attitudes and behaviours of people.

---

[2] The Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration on Social Progress and Development, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities and the United Nations Declaration on the Rights of Indigenous Peoples.

3. Policies and strategies to promote the empowerment of people

Socioeconomic policies that promote inclusive and equitable growth and sustainable development

10. Achieving the empowerment of people requires that not only the consequences of economic downturns and policies that have increased inequality be addressed, but also the unresolved structural causes of poverty, inequality and exclusion, as well as unemployment and underemployment. A policy shift towards a more inclusive and equitable path to development is necessary. Such a transformative policy framework incorporates social protection, economic diversification, inclusive access to finance and employment-friendly policies that foster demand and enhance productive capacity.

11. The empowerment of people is directly impacted by strengthened human capacity. Ensuring equitable access to, and enhanced investment in, quality education, basic health care and skills training is essential, especially for the most vulnerable and disadvantaged. Quality education and health services provide individuals, regardless of their background, with better opportunities to improve their livelihoods and well-being and increase future income prospects, thus gaining better control over their own destinies. In addition to the provision of financial resources, concrete and practical measures that are appropriate to the national and local contexts are necessary to remove cultural and physical barriers to equitable access to basic services.

12. Social protection is a critical tool for empowering people. Country experiences have shown that social protection can be effective in reducing poverty, inequality and exclusion, mitigating risks, building resilience, enhancing human capital and other assets and improving livelihoods, thereby empowering people socially and economically.[3] Well-designed social protection systems guarantee minimum or basic social security for all in the form of various social transfers (in cash or in kind), while enabling the targeting of those who are either left behind or temporarily in need. Social protection, with immediate impacts on sustaining livelihoods and lasting impacts on inclusive and equitable development, should be considered a long-term national investment.

13. Social protection systems, including policy, planning, legislation and monitoring instruments, should not only be developed within a national institutional framework, but also developed progressively to ensure sustainability. In recent years, the benefit of investing in social protection floors has been increasingly recognized.[4] Social protection floors[5] guarantee income security and access to essential social services for all, paying particular attention to vulnerable groups and to protecting and empowering people throughout their life cycle.

---

[3] E/CN.5/2011/2, pp. 4-10, and Organization for Economic Cooperation and Development (OECD), policy guidance note, "Social protection, poverty reduction and pro-poor growth", available from http://www.oecd.org/development/povertyreduction/43573310.pdf.

[4] Eveline Herfkens, "Enhancing the Millennium Development Goals: reducing inequalities and improving coherence through social protection floors", background paper prepared for the Social Protection Floor Advisory Group.

[5] Developed by the International Labour Organization and endorsed by the United Nations Chief Executives Board and by the Heads of State and Government at the United Nations Millennium Development Summit in 2010 as an integrated set of social policies.

14. A well-functioning and inclusive labour market is crucial to the empowerment of people, as secure and fairly remunerated jobs provide the main pathway to emerge from poverty. Predictable income, even in the informal sector, enables households to make long-term investments, particularly in children's education, thus breaking the vicious cycle of intergenerational poverty. Access to decent jobs is, therefore, a foundation for the empowerment of people, especially among the most vulnerable. Labour market policies and institutions, including a minimum wage, employment protection legislation and labour negotiations, play an important role in protecting and empowering workers and their families. Empowerment through economic institutions, such as cooperatives, also contributes to the creation of decent employment, as well as to poverty reduction and social integration.

Promoting broad-based participation in decision-making processes

15. Empowerment of people involves, first and foremost, ensuring the full participation of people in decision-making processes that affect their lives. The individual capacity to articulate interests, address needs and concerns and represent the collective voice must be strengthened if participation is to be meaningful. The effective participation of citizens is also vital to improving the accountability and transparency of national and local government.

16. In addition, the capacities of public institutions at the national and local level need to be strengthened to facilitate civic engagement and the broad-based participation of citizens. E-governance has drawn increasing attention as a potential "enabler" to facilitate civic participation. In some instances, there need to be formal institutional mechanisms and structures that promote the meaningful participation of citizens in policymaking and other decision-making processes, for example, town hall meetings, public hearings, regular periodical consultations, multi-stakeholder participatory forums and interactive dialogues. Their participation will create a sense of ownership of, and responsibility for, their own well-being. At the same time, their participation can make public policies and interventions more effective and responsive to individual needs, thus creating a virtuous circle.

Effective, responsive, transparent and accountable institutions

17. The Programme of Action of the World Summit on Social Development recognized that democracy and transparent, accountable governance in all sectors of society were indispensable for the realization of sustainable, people-centred social development.

18. Effective, transparent and accountable public institutions that are accessible to all people and responsive to their needs are a critical building block for the empowerment of people. Such institutions can ensure inclusive, equitable participation and fair access to social services and job opportunities; identify specific means of reflecting the needs of vulnerable and disadvantaged groups and populations; recognize and promote their capabilities, talents and experiences; and enable them to make a positive contribution to society. One of the ways of realizing this is to promote decentralization of public institutions and services to a level that would respond properly to local needs and facilitate local participation in coordination with national Governments. Further, clear rules and processes should be established for public and private institutions, to create transparency and accountability and prevent corruption.

Fair, non-discriminatory justice systems and legal frameworks

19. Everyone should be able to participate in, contribute to and enjoy the benefits of economic, social, cultural and political development and be responsible for the betterment of their own lives. Governments have the responsibility for promoting and protecting the rights of individuals, especially members of vulnerable and disadvantaged social groups, including women, youth, older persons, persons with disabilities, indigenous peoples and people living in poverty.

20. Lowering legal barriers to participation in all aspects of life is a fundamental step towards the empowerment of people. Identifying and amending — or eliminating — discriminatory laws based on gender, age, residence, language, religion and ethnicity or other background is essential to reducing inequality and exclusion. Several mandates have been established since the World Summit for Social Development to address the situation of vulnerable groups such as persons with disabilities, older persons, young people and indigenous peoples. Many Governments have introduced policies to combat exclusion, particularly of the most marginalized groups. In this regard and where appropriate, the ratification of existing international human rights conventions and the accelerated implementation of the provisions of conventions and covenants should be promoted. Furthermore, it is crucial to provide all people with the benefit of independent, fair and effective judicial systems and access to competent sources of advice about their legal rights and obligations.

Enhanced access to information, knowledge, and innovation

21. Access to a wide range of information, knowledge and opinions, which enable people to have choices and make informed decisions, is essential to the empowerment of people. Thanks to technological advances in recent years, access to information and knowledge has become timelier and more affordable. While the digital divide remains a challenge, barriers to access to information and communications technologies have been progressively lowered, as the use of such services, especially mobile cellular services, has expanded greatly worldwide.[6] Mobile technology is empowering people across regions by providing interfaces for innovative approaches in education, health, public administration, banking, business and connecting people. Public policies should foster the wider use of such technologies, the development of technological infrastructure and public access thereto, engagement in public-private partnerships and the promotion of content in indigenous and local languages.

22. Information and knowledge-sharing is becoming increasingly important to the promotion of innovation and increased productivity. There has been a transformation in patterns of innovation, from confined and hierarchical models to more open and collaborative ones. Drawing on knowledge from multiple sources across different disciplines, the open model is more likely to lead to innovative solutions. These collaborative interactions by multiple actors make knowledge widely available and affordable, which benefits vulnerable and disadvantaged populations and communities. Open sources of information and knowledge-sharing

[6] At present, there are an estimated 6.8 billion mobile-cellular subscribers globally, almost as many as people in the world, with more than half in the Asia-Pacific region (3.5 billion). Mobile-cellular penetration rates stand at 96 per cent globally, 128 per cent in developed countries and 89 per cent in developing countries. Almost 40 per cent of the world's population (2.7 billion people) are online. See ITU, "The world in 2013: ICT facts and figures", available from http://www.itu.int/en/ITU-/Statistics/Documents/facts/ICTFactsFigures2013.pdf.

should be encouraged further and facilitated within and across regions. Governments could enhance the reliability, validity and utility of statistical data and other information and make them accessible for public use. International and regional organizations could provide interfaces for exchanging good practices and lessons learned and make valuable knowledge available at minimum or no cost.

B. The special needs of Africa and the least developed countries

1. The special needs of Africa

23. The New Partnership for Africa's Development has continued to make progress in delivering on the promise of the continent in a number of areas. Considerable progress has been made in improving living conditions and reducing the number of people living in extreme poverty, as well as in education, health and nutrition outcomes. These gains are being supported by some of the fastest-growing economies in the world and enhanced domestic resource mobilization efforts, stronger partnerships and better policy coherence, both at the continental level and within countries. While the global economy is expected to grow at 2.3 per cent in 2013 and is projected to grow at 3.1 per cent in 2014, Africa is expected to grow by 4.6 per cent in 2013 and 5.1 per cent in 2014.[7] The continuing strong economic performance of Africa has been more than a resource boom. Political stability, improved macroeconomic governance and a growing middle class are complementing the contribution of increased exports of primary commodities.

24. However, this relatively high-growth experience has not been shared by all countries, resulting in considerable cross-country diversity and intracountry disparities in poverty eradication and employment creation. The proportion of people whose incomes were less than $1.25 a day stood at 48.5 per cent in 2010 in sub-Saharan Africa, down from 56.5 per cent in 1990. However, despite the welcome decline in the poverty headcount rate, the absolute number of people living on less than $1.25 a day actually went up in the region, from 289.7 million people in 1990 to 413.7 million people in 2010. Failure to reduce the number of the extreme poor was accounted for partly by the quality of growth, which has not been as inclusive and equitable as needed. The continued export of natural resources has been a key driver of high rates of economic growth, but it has not been accompanied by a structural transformation of African economies. Neither has the overreliance on exports of primary commodities resulted in significant improvement in the quantity and quality of jobs. An estimated 86 per cent of workers in sub-Saharan Africa were either poor, or near poor, in 2011. The unemployment situation has remained dire in North Africa too, where the unemployment rate was estimated to have been 10 per cent in 2011 and 10.3 per cent in 2013.[8] Urgent action is required to put in place macroeconomic and social policies that would prioritize the creation of productive employment opportunities and human resource development, augment the provision of social protection and tackle inequality.

25. Furthermore, failure to boost the productivity of agriculture, particularly smallholder agriculture, has continued to undermine poverty eradication efforts in

[7] United Nations, *World Economic Situation and Prospects 2013* (New York, 2013). Update as of mid-2013.

[8] International Labour Office, *Global Employment Trends 2013: Recovering from a Second Jobs Dip* (Geneva, 2013).

rural areas where the majority of the African poor live and work. In 2012, the share of employment in agriculture in sub-Saharan Africa stood at 62 per cent. In 1991, the share was 67.5 per cent. More concerted public and private efforts are required to boost smallholder productivity. These efforts should include scaling up public investments in agriculture in line with the 2003 African Union Maputo Declaration on Agriculture and Food Security, attracting private investment in agriculture, improving the quality and quantity of rural extension services and ensuring that smallholder farmers have access to improved seed varieties, fertilizers, irrigation, credit and markets.

26. Progress on other social development goals across Africa has remained mixed, with many countries lagging behind the Millennium Development Goals to eradicate hunger, improve maternal health, curb child mortality and improve access to water and sanitation. North African countries have reached the targets on poverty and access to improved sanitation and considerable progress is being made in achieving universal primary education and gender equality. In sub-Saharan Africa, rates of primary school enrolment and completion are improving. Under-five child mortality continues to fall and steady progress is being made towards gender parity. Immunization coverage is improving and there have been reductions in the rates of HIV prevalence and HIV incidence and malaria-related deaths.[9]

27. However, many African countries continue to face challenges that include rising inequality, youth unemployment and volatile commodity prices. In addition, social and economic progress is being hampered by protracted political uncertainty in North Africa and political instability in the Sahel region, the Great Lakes region and the Horn of Africa. The public debt overhang in the eurozone is also impacting negatively the economies of those countries that have strong linkages with the eurozone, such as South Africa and several countries in North Africa, hitting key drivers of growth, including trade, manufacturing and foreign direct investment inflows.

2. Special needs of the least developed countries

28. An assessment of the first two years of implementation of the Programme of Action for the Least Developed Countries for the Decade 2011-2020 (Istanbul Programme of Action) showed mixed results.[10] In general, the least developed countries have made some progress on many of the goals and targets, despite the negative impacts of the decelerating global economy, such as a decline in foreign direct investment and decreasing official development assistance. Some of the least developed countries (Bangladesh, Bhutan, Cambodia, Ethiopia, Lao People's Democratic Republic, Mozambique, Rwanda, Uganda and the United Republic of Tanzania) have sustained high growth rates, close to or above 7 per cent in 2011, while growth rates in some of the larger least developed countries (Angola and Sudan) were well below their decade averages, due largely to declining oil production. As a result, the average GDP growth rate for the least developed countries was estimated to have decelerated to 3.3 per cent in 2012.

---

[9] African Union Commission, Economic Commission for Africa, African Development Bank and United Nations Development Programme, *MDG Report 2012: Assessing progress in Africa toward the Millennium Development Goals* (Addis Ababa, 2012).

[10] A/68/88-E/2013/81.

29. Although some social indicators demonstrated moderate progress, for example an increase in the enrolment rate in primary education and a decline in child mortality rates, especially in the least developed countries in the Pacific, most have continued to face persistent poverty, inequality, low productivity, insufficient creation of decent jobs and a high degree of exposure to shocks and disasters. Some of them have been vulnerable to political tensions, growing insecurity and poor weather conditions. Structural change seems to be taking hold in some of the least developed countries which have sustained high economic growth. Due largely to increasing investment and rapid urbanization, the share of agriculture in those countries has decreased to the benefit of manufacturing, services and mining. However, economic growth has not translated into meaningful poverty reduction in many of them. Poverty rates have continued to be alarmingly high, with half of the 880 million population in the least developed countries living on less than $1.25 a day, posing a serious challenge to achieving the goals of the fourth United Nations Conference on the Least Developed Countries, held in Istanbul in 2011, and the Millennium Development Goals. Nonetheless, there are some encouraging signs that many of the least developed countries have integrated the priorities and goals of the Istanbul Programme of Action into their national development plans and strategies. A few countries have announced their intention of graduating from least developed country status by, or around, the end of the decade in 2020. Many donors have streamlined their development aid strategies to become more focused, less fragmented and more effective.

C. Implementation of programmes related to social groups and social integration

30. Social integration envisions all individuals and groups sharing in the benefits of economic growth and participation in all facets of society. However, social exclusion remains pervasive, with many social groups distinctly disadvantaged across social, economic and other dimensions of well-being. There is a need to intensify efforts to reduce inequality and promote the rights and welfare of vulnerable individuals and social groups.

31. Inclusive policies across sectors foster empowerment and social justice, growth and poverty reduction and political stability, from which all members of society benefit. In particular, the pursuit of decent work for all has a key role in promoting empowerment and social integration through the range of opportunities it enables.

32. The Convention on the Rights of Persons with Disabilities, which was adopted in 2006 and entered into force in 2008, has been ratified by 132 countries and signed by 155 countries as of June 2013. The Optional Protocol to the Convention has 77 ratifications and 91 signatories. The number of ratifications and signatories has risen steadily, whereas there remains a considerable gap between commitment to the Convention and its Optional Protocol and development policy and practices on the ground. As the deadline to meet the Millennium Development Goals in 2015 draws near, the international community is calling for enhanced efforts and concrete actions to achieve the Goals among persons with disabilities and to mainstream a disability perspective into development agendas towards 2015 and beyond. The way in which societies regard disability has evolved further through this process, through

increased recognition that persons with disabilities are equal rights-holders and should be included as both agents and beneficiaries of development.

33. It is estimated that 1 billion people, or 15 per cent of the population worldwide, live with disabilities, yet persons with disabilities have been invisible in many development frameworks and often excluded from full participation in economic, social and other domains. It is necessary to take account of, and respond explicitly to, the needs and concerns of persons with disabilities in shaping the global development agenda, through participatory approaches. Accordingly, in 2011 in resolution 66/124, the General Assembly decided to hold a high-level meeting on disability at the level of Heads of State and Government. The high-level meeting, to take place on 23 September 2013, will have as its theme "The way forward: a disability-inclusive development agenda towards 2015 and beyond". Among the priorities reported by multiple stakeholders are greater accessibility, participation in decision-making processes and capacity-building, improved data on disability and quality education, training and decent work opportunities and inclusion of disability perspectives in disaster preparedness and management.[11]

34. Indigenous peoples around the world experience disproportionate levels of poverty and are likely to have lower educational outcomes and employment rates than non-indigenous peoples. The recent twelfth session of the Permanent Forum on Indigenous Issues, which focused on culture, education and health and the implementation of recommendations in those areas, underscored these significant gaps across indicators of well-being. The promotion of the rights of indigenous youth and indigenous persons with disabilities has emerged as a priority area for the future work of the Permanent Forum. The participants in the Permanent Forum urged Member States and the United Nations system to include indigenous holistic concepts of development and practices in the current processes of the United Nations development agenda beyond 2015 and in the sustainable development goals. Indigenous peoples have referred consistently to the lack of focus on these issues in the Millennium Development Goals and to the way in which the lack of disaggregated data made them invisible in development plans and in the aggregate data presented by States.

35. In its resolution 65/198, the General Assembly decided to hold a high-level plenary meeting in 2014, to be known as the World Conference on Indigenous Peoples, to exchange views and good practices on the fulfilment of the rights of indigenous peoples and to advance the achievement of the objectives of the United Nations Declaration on the Rights of Indigenous Peoples. The preparatory process has led to the identification of four overarching themes that capture priorities as concrete recommendations for inclusion in the final outcome document of the World Conference: the lands, territories and resources of indigenous peoples; United Nations action for the implementation of the rights of indigenous peoples; the implementation of the rights of indigenous peoples; and the priorities of indigenous peoples for development, including the right to free, prior and informed consent. The World Conference is expected to contribute indigenous perspectives to the formulation of the global development agenda beyond 2015 and to the sustainable development goals.

[11] A/67/211.

36. The family plays a critical role in society and in development. Socioeconomic, demographic and cultural changes, however, are presenting new and increasing challenges for families in fulfilling their economic, caring, nurturing and other roles. Social policies must be tailored to meet the evolving needs of families and to strengthen their cohesion, so that they can fulfil those roles to the benefit of all their members and society at large. Family-focused policies such as cash transfers for families with young children or subsidized housing for low-income families, can contribute to ending the intergenerational cycle of poverty and improving the living conditions of vulnerable families. At the same time, family policies are increasingly recognizing the need to support a work-family balance and intergenerational solidarity, which will grow in importance due to employment and ageing trends. The year 2014 will mark the twentieth anniversary of the International Year of the Family. Preparations for its observance have been focused on family-oriented policies and strategies to reduce family poverty, promote a work-family balance and support social integration and intergenerational solidarity. A review of family-oriented policies across regions and an exchange of good practices in family policymaking are under way to highlight appropriate strategies to improve the well-being of families.

37. In 2012, the Secretary-General identified working with and for women and young people as one of the top priorities for his second term. His Five-Year Action Agenda delineated the objective of addressing the needs of young people by deepening the youth focus of existing programmes on employment, entrepreneurship, political inclusion, citizenship and protection of rights and education, including sexual and reproductive health. The United Nations system is implementing an action plan and has developed a youth volunteer modality under the umbrella of the United Nations Volunteers programme to help advance this agenda. Additionally, the Secretary-General appointed an envoy on youth in January 2013, who has been charged with developing this work.

38. Rates of youth unemployment, youth working poverty and other gaps in decent work among youth have grown sharply since the onset of the financial and economic crisis, reaching crisis levels in many countries such as Spain and Greece. In addition to posing immediate challenges to youth development, extended periods of unemployment and underemployment put young people on a long-term path of disadvantage in terms of job opportunities, wages and development of skills. Moreover, the employment situation of young people has significant implications for broader social trends and political issues, such as family formation and civil unrest. Countries are especially concerned about generating employment opportunities and promoting skills training, vocational education and entrepreneurship for youth. There is broad support for the resolution entitled "The youth employment crisis: a call for action", adopted at the 101st International Labour Conference in Geneva in June 2012, which set out various measures that could be taken by Governments and other stakeholders.

39. A number of countries have made considerable progress in enhancing the inclusion of older persons, through policies and programmes to extend workforce participation and other types of participation, ensuring the sustainability of pension and social security systems and, in some cases, instituting basic social pensions, as well as providing age-appropriate health-care services. Older persons in developed and developing countries have continued to be more likely to experience income insecurity and poor access to health care and other social services than an average

member of the population. Social exclusion and poverty have remained significant barriers to the well-being of older persons.

40. The second review and appraisal of the Madrid International Plan of Action on Ageing, 2002, which took place in 2012, revealed several common challenges confronted by older persons, including age-based discrimination, violence and abuse, barriers to employment, lack of age-appropriate health services and uneven provision of social protection, particularly in developing countries. Progress in implementation has been limited and uneven, suggesting that national capacities on ageing must be strengthened considerably through the mobilization of adequate resources, as well as the forging of partnerships with all stakeholders at the national, regional and international levels. Member States are currently discussing strengthening the protection of the human rights of older persons, with deliberations ongoing as to the appropriate means for achieving that objective. The fourth session of the Open-ended Working Group on Ageing, established by the General Assembly in resolution 65/182, will take place in August 2013.

III. Effective integration of the social dimension of sustainable development in the global development agenda beyond 2015

A. The social dimension of sustainable development

41. The international development paradigm is at a critical juncture, as the 2015 deadline approaches for the achievement of the Millennium Development Goals, which were set on the basis of the United Nations Millennium Declaration adopted by the General Assembly in resolution 55/2. While the international community strives to meet the Goals and targets by 2015, extensive dialogue and preparations are also well under way to shape a global development agenda beyond 2015.

42. Reflection on the successes and gaps of the Millennium Development Goals has shed light on the uneven progress thus far. The overall progress that has been achieved towards most targets does not convey where improvements have been realized, how they have been distributed, or who has been left out. In fact, success has not occurred in equal measure across, or even within, countries, with divergent outcomes, particularly between regions and between rural and urban areas. Although the target of halving the proportion of people living in extreme poverty — arguably the most significant of all the targets — has been met already, most of that success has occurred within East Asia and China in particular. Despite progress made in reducing the proportion of people living in extreme poverty, the slow pace of poverty reduction remains a concern in sub-Saharan Africa. Similarly, reductions in underweight prevalence among children have been greater in urban areas and in wealthier households than in rural areas and poorer households. Studies have continued to demonstrate that progress towards the Millennium Development Goals often fails to reach certain social groups, including indigenous persons and other ethnic minorities, persons with disabilities, women and girls, migrants, older persons and young people who collectively continue to face disparities in well-being.[12]

[12] United Nations System Task Team on the Post-2015 United Nations Development Agenda, *Realizing the Future We Want for All: Report to the Secretary-General* (New York, 2012).

43. It is evident that several vital social and economic issues have not been addressed sufficiently in the framework of the Millennium Development Goals, such as decent and productive work for all, social protection, inequality and social exclusion, among others. This realization points to the need to refocus the attention of the international community on its vision of social justice and of inclusive and people-centred sustainable development.

44. In June 2012, at the United Nations Conference on Sustainable Development, Member States called for the effective and balanced integration of the social, economic and environmental dimensions of sustainable development. Governments underscored the need to continue to give the highest priority to eradicating poverty, along with promoting sustainable patterns of consumption and production and protecting the environment, as both the foundation and the aim of sustainable development. They stressed further the need for economic growth to be sustained, inclusive and equitable and to address inequality and expand opportunities for all, elevating living standards, supporting equitable social development and inclusion and promoting integrated and sustainable management of natural resources and the ecosystem. The vision that emerged from the Conference has stimulated a rethinking of development and has called for a holistic approach that places equal emphasis on the three pillars of sustainable development.

45. The social dimension of sustainable development has so far received insufficient attention. The Conference on Sustainable Development, in focusing on development that is people-centred and inclusive, presented a critical opportunity to strengthen the social pillar and promote complementarities with environmental and economic development. Moreover, it concluded with an agreement among Member States that sustainable development, integrating social, economic and environmental dimensions, must be at the core of the United Nations development agenda beyond 2015.

46. At its fifty-first session, the Commission for Social Development addressed the emerging issues of the social dimension in the global development agenda beyond 2015. It addressed the necessity of a robust social foundation for realizing sustainable, inclusive and equitable development, as inequality and lack of opportunities and participation are inextricably linked to poor economic and environmental outcomes. Social investments, such as accessible education and health systems, provision of decent work and universal social protection floors, contribute to environmental protection and economic growth through reducing vulnerability and strengthening adaptive and productive capacity, including for green jobs. Social processes and institutions are crucial to enabling social justice and equality in the context of economic growth and environmental protection. In this regard, the Commission asserted that the social dimension of sustainable development should be viewed as key to enabling transformative change across the economic, environmental and social spheres. Once the right policies are in place, social processes can be drivers of economic and environmental change.

B. Priority areas for inclusion in the global development agenda beyond 2015

47. In its deliberations at its fifty-first session in February 2013, the Commission for Social Development highlighted the need for policies to address the root causes

of poverty, inequality and social exclusion, rather than the social consequences of economic or political processes, and the social drivers of structural change as the means of achieving inclusive and sustainable development. In this regard, members of the Commission emphasized the importance of addressing the following priority areas in the global development agenda beyond 2015: inequality, social inclusion, empowerment and participation, full and productive employment and decent work and social protection.

48. Many individuals and social groups have benefited greatly from the Millennium Development Goals, whereas others have been left untouched or little helped by development and economic growth. Just 1 per cent of the global population owns nearly half of global wealth, whereas the poorest half of the population owns less than 1 per cent.[13] Inequality is detrimental not only to growth and poverty reduction but also to social cohesion. Unequal access to opportunities and basic social services leads to disparities in educational, health and employment outcomes, as well as in other measures of well-being. Severe inequality can lead further to social and political instability, generating risk and undermining future growth. Societies with lower levels of inequality outperform highly unequal societies in their rate of growth, ability to sustain growth and speed of recovery from economic downturns.[14]

49. Persistent and in many cases growing inequality is hindering efforts to achieve the Millennium Development Goals. It is important to address the determinants of all forms of inequality, from income to gender and age, using a people-centred approach to enable inclusive and equitable growth. Social protection systems, investments in human capital, employment opportunities and civic engagement mechanisms are among policy measures that have helped to reduce inequality and social exclusion.

50. Empowerment and participation are elements essential to individual well-being and social inclusion. The long-term process of empowerment supports the capacity of individuals and social groups to participate fully in all spheres in life, including decision-making. It is critical to ensuring that solutions to global challenges are responsive to the needs and concerns of all people, particularly the most marginalized, and that people are key actors in implementing those solutions. Societies with high levels of political participation and civic engagement are better positioned to develop and implement policies and programmes that promote the three pillars of sustainable development effectively.

51. Measures that reduce or eliminate barriers to participation and those which promote decent work, civic engagement, basic services and productive resources for all, enable people to access and generate livelihood opportunities, hold decision makers accountable and be active partners in all three pillars of sustainable development. In particular, empowered individuals are better able to manage risk, protect their natural environment and adapt to a green economy.

---

[13] World Economic Forum, *Global Risks 2012* (Geneva, 2012).

[14] Andrew G. Berg and Jonathan D. Ostry, "Inequality and unsustainable growth: two sides of the same coin?", Staff Discussion Note, No. SDN 11/08 (Washington, D.C., International Monetary Fund, 2011), and S. Chaudhuri and M. Ravallion, "Partially awakened giants: uneven growth in China and India", Policy Research Working Paper, No. 4069 (Washington, D.C., World Bank, 2006).

52. Despite recognition that decent work is essential to poverty reduction, growth and human well-being, 56 per cent of workers in developing countries were in vulnerable employment in 2012.[15] Lack of quality job opportunities has emerged as one of the key issues of widespread concern in the national and thematic consultations organized by the United Nations on the development agenda beyond 2015. The outcome document of the United Nations Conference on Sustainable Development echoed this concern, as it recognized the need to create an enabling environment to promote full employment and decent work for all and spelled out the policy means to do so.[16] Experience from recent decades has shown that policies that promote economic growth have not necessarily resulted in growing employment or decent work. This suggests that no single policy or set of labour market measures would be sufficient to end the jobs crisis. Addressing the decent employment challenge, the General Assembly called for a holistic and coherent policy approach.

53. Social protection and universal access to social services have been shown to reduce poverty and inequality and support socioeconomic development and the empowerment of individuals and families.[17] They foster human capital development and build resilience to economic shocks, yet just 20 per cent of the global population of working age have comprehensive access to social protection and more than 50 per cent are without any coverage. Greater efforts are needed to create and strengthen national social protection floors and to enable, broaden and ensure access to productive resources in order to reduce poverty, vulnerability, inequality and social exclusion in a sustainable way.

54. The indicators that will be selected to monitor progress towards the achievement of a global development agenda beyond 2015 have the potential to elucidate the distinct situations of disadvantaged and marginalized groups and individuals. A disaggregated approach to monitoring can thereby inform development efforts better, ensuring that they reach all persons, especially those most in need. Such an approach would empower excluded individuals and social groups, improve accountability and enhance prospects for realizing the future we want. It will also be important to strengthen data quality and data collection at the national and subnational levels, including through capacity-building in monitoring implementation through participatory processes inclusive of multiple stakeholders.

IV. Recommendations

55. In order to accelerate progress towards the implementation of the outcome of the World Summit for Social Development and other social development goals, the General Assembly may wish to consider the following recommendations:

(a) **The empowerment of people should be considered as an approach to advancing social development. Policies aimed at reducing poverty, promoting employment and social integration and those intended to foster the greater empowerment of people should be mutually reinforcing. The promotion of**

[15] International Labour Organization, *Global Employment Trends 2013: Recovering from a Second Jobs Dip* (Geneva, 2013), p. 39.

[16] General Assembly resolution 66/288, annex, para. 23.

[17] *Social Protection Floor for a Fair and Inclusive Globalization: Report of the Social Protection Floor Advisory Group* (Geneva, International Labour Office, 2011) and *The Global Social Crisis: Report on the World Social Situation 2011* (United Nations publication, Sales No. E.10.IV.12).

empowerment should go beyond group-specific approaches and focus comprehensively on people-centred development;

(b) The process of empowerment should seek to enhance the choices and capacities of people and foster the transformation of their mindsets. A combination of social benefits and tools, including equal access to quality education, skills training, information and communications technologies and effective health care and social protection schemes, can contribute to the empowerment of people while increasing productivity and reducing vulnerability;

(c) Governments should place particular emphasis on achieving inclusive and sustainable economic growth and on creating an enabling environment to promote productive employment and decent work and opportunities through investing in human resources and human capital. Social protection systems should be developed within a national institutional framework and implemented progressively to ensure their sustainability;

(d) Governments should establish and expand effective and transparent institutions and mechanisms that foster participation and civic engagement; they should undertake broad-based consultations with citizens to reflect their needs and concerns in policymaking processes and assess how socioeconomic policies impact their daily lives;

(e) Enhanced efforts should be made to address the root causes of poverty, inequality and social exclusion, rather than the social consequences of economic or political processes, and the social drivers of structural change, in order to progress towards inclusive and sustainable development;

(f) More concerted efforts are required to boost smallholder productivity, including scaling up public investment in agriculture, attracting private investment into agriculture, improving the quality and quantity of rural extension services and ensuring that smallholder farmers have access to the necessary resources, assets and markets;

(g) In formulating the United Nations development agenda beyond 2015, inequality, social inclusion, empowerment and participation, full and productive employment and decent work for all, and social protection should be given priority attention. A disaggregated approach to monitoring can ensure that policies reach all persons, especially those most in need. Such an approach would empower excluded individuals and social groups, improve accountability and enhance prospects for realizing the future we want.